



OGDEN VALLEY TOWNSHIP PLANNING COMMISSION PLANNING MEETING AGENDA

July 30, 2013

5:00 p.m.

- *Pledge of Allegiance*
- *Roll Call:*
- 1. Minutes:
 - 1.1. Approval of the June 25, 2013 meeting minutes
- 2. Consent Agenda:
 - 2.1. CUP 2013-19 Consideration and action on an administrative application requesting approval of a Conditional Use Permit for a public utility substation (415,000 gallon water tank, well, and pump house) located at Powder Mountain within the Commercial Valley Resort Recreation (CVR-1) Zone (Powder Mountain Water & Sewer District (Gregg Greer, applicant)
- 3. Petitions, Applications and Public Hearings:
 - 3.1. Administrative Items
 - a. New Business:
 - 1. DR 2013-07 Consideration and action on an administrative application for a temporary gravel excavation and rock crushing operation located at Powder Mountain Ski Resort within the Forest Valley-3 (FV-3) Zone (Russ Watts, Representative for Summit Mountain Holding Group, LLC)
 - 2. CUP 2013-18 Consideration and action on an administrative application for a Conditional Use Permit for an accessory apartment located at 3230 North River Drive, Eden UT within the Agricultural Valley-3 (AV-3) Zone (Theresa Ellis-Anglesey, Applicant)
 - 3.2. Legislative Items:
 - a. New Business:
 - 1. ZTA 2013-03 Consideration and action on a legislative application to amend the Weber County Land Use Code, Title 104 Chapter 6 Agricultural AV-3 Zone, reducing the lot width requirement from 150 feet wide to 130 feet wide and labeling these properties as in an Agricultural AV-3 A Zone (Bradford Hammond, Applicant)
 - 2. Public Hearing for consideration of a legislative amendment to the Ogden Valley General Plan; Ogden Valley Moderate Income Housing Plan
 - 3. Public Hearing for consideration of a legislative amendment to the Ogden Valley General Plan; Ogden Valley Trails Master Plan
- 4. Public Comments for Items not on the Agenda
- 5. Remarks from Planning Commissioners
- 6. Report from the Planning Director
- 7. Remarks from the County Attorney
- 8. Adjourn

The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah. Work Session may be held in the Breakout Room. A pre-meeting will be held in Room 108 beginning at 4:30 p.m. – No decisions are made in this meeting



In compliance with the American with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791

Minutes of the Ogden Valley Planning Commission Work Session held June 25, 2013, in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Pen Chair Hollist, Chair; Ann Miller; John Howell; Dennis Montgomery; Laura Warburton

Absent/Excused: Kevin Parson, Greg Graves

Staff Present: Rob Scott, Planning Director; Jim Gentry, Asst Planning Director; Sean Wilkinson, Planner; Ben Hatfield, Planner; Chris Allred, Legal Counsel; Sherri Sillitoe, Secretary

*Pledge of Allegiance

*Roll Call

1. Minutes

1.1. Approval of the October 30, 2012 and the May 28, 2013 meeting minutes

MOTION: Chair Hollist declared the meeting minutes of the October 30, 2012 and the May 28, 2013 meeting minutes

2. Consent Agenda

2.1. UVB060513 Consideration and action on a request for a final approval of Booth Subdivision (1 Lot) an amended subdivision plat and the vacation SUBVAC 2013-08 of Dave Booth Subdivision within the Forest Valley-3 (FV-3) Zone located at approximately 5878 Snow Basin Road (Dave Booth, Applicant)

2.2. CUP 2013-03 Reconsideration and action on revisions to an administrative application, Conditional Use Permit (CUP) 2013-03 (Summit at Powder Mountain Phase 1) consisting of an 154 unit Planned Residential Unit Development (PRUD) located at Powder Mountain, (Western America Holding LLC, Applicant, Russ Watts (Summit Eden), Representative)

MOTION: Commissioner Warburton moved to approve Consent Agenda Items 2.1 and 2.2 as presented. Commissioner Miller seconded the motion. The motion is subject to all staff and other agency recommendations. A vote was taken with all members present voting aye. (4-0) Motion Carried

Commissioner Montgomery arrived at this time.

Chair Hollist reported that under advice of counsel, the Chair is not required to read the three letters received (from Mr. Bret Barry, Roberta Blain, and Richard Sorensen) into the record, but he allowed a brief recess to allow the OVPC members time to read the letters.

3. Petitions, Applications and Public Hearings:

3.1. Administrative Items

a. Old Business:

1. CUP 2012-04 Consideration and action on an administrative application for a Conditional Use Permit request for a Custom Exempt Meat Cutting operation located at approximately 4181 North and 3800 East in the Liberty area within the Agricultural Valley -3 Zone (AV-3) (Garet Jones, Applicant)

Jim Gentry presented a chronology of the project and indicated that in essence of time, he will not repeat all of the information presented at the meeting when this issue was tabled in July 2012 and asked the members to refer to the staff report for the applicant's response to the questions that were asked by the Planning Commission.

The applicant is requesting the approval of a Conditional Use Permit for the operation of a Custom Exempt Meat Cutting business (as an accessory to an existing single-family dwelling) located at approximately 4181 North & 3800 East in the Liberty area. The subject property consists of approximately 6.15 acres and lies in the Agricultural Valley-3 (AV-3) Zone which lists Custom Exempt Meat Cutting as a Conditional Use. The Custom Exempt Meat Cutting operation will be housed in an existing 1,200 square foot structure located in the north eastern corner of the applicant's parcel. It is constructed of concrete with a majority of the structure being covered by an existing hillside.

All waste byproducts will be stored inside and/or refrigerated until the waste disposal comes to pick up the waste. There will be a residential garbage can located outside the building for and trash, such as paper waste.

A compacted gravel parking area, consisting of approximately four spaces, will be provided south of the building. There will be a 10 feet wide driveway to the building from the parking lot for dropping off the game at the building. This driveway will also be graveled. This proposal does not include having semi's picking up process meat.

Jim Gentry stated that the Custom Exempt Meat Cutting use was approved by the County Commission to be added to the AV-3 Zone. The application has been reviewed and found to comply with all applicable Weber County Zoning Ordinance standards with the exception to the standard that requires access from a collector or arterial road. The applicant was granted an access variance by the Weber County Board of Adjustment; therefore, compliance with this standard has been addressed. Access to the proposed meat cutting building must fall within 300 feet of the intersection of 4100 North Street and 3800 East Street.

Jim Gentry indicated that staff received three letters of concern and he briefly summarized those concerns.

Commissioner Warburton looked up the AV-3 Zone and the CV-2 Zone and found that there are no setback standards of 200 or 300 ft. She doesn't know of any business in the Ogden Valley where they control operating hours on Sunday. Jim Gentry replied that is correct.

Commissioner Warburton said if they receive a complaint of when deliveries or employees are there, can they call the applicant back in? Jim Gentry said they can call the applicant back in. Their applications states: "there will be 2 employees that will work from 8:00 to 5:00 PM. That will be the only time deliveries will be taken but employees may stay later or come earlier if work is needed to be done."

Staff recommends approval of CUP 2012-04 for a Custom Exempt meat cutting facility subject to the requirements of staff and other review agencies. This recommendation is based on the following:

- The proposed use meets the requirements of the Agricultural AV-3 zone
- The proposal is in conformance to the General Plan
- The negative impacts have been "reasonably" mitigated

Staff recommends approval with additional requirements:

- Restroom facilities are installed
- The truck access has road base installed to prevent tracking onto 3800 East
- Finalizing any building permits
- All waste byproducts will be stored inside and/or refrigerated until the waste disposal comes to pick up the waste
- List of the 5 gallon shrubs that will be planted
- No semi's are used for the pickup of process meat

Garet Jones in response to two questions raised stated that there will be a drainage swall. He will have shrubs along the home. The advertising hours will be posted of 8:00-5:00 PM. of when they will receive animals. During the rush season, employees will probably be working longer hours. He may occasionally receive an animal outside the hours of 8:00-5:00 PM. In answer to a question by Commissioner Miller, Mr. Jones indicated that the US Department of Agriculture keeps tabs on how they dispose of the waste. It will depend on the type of waste as to how it is transported away. Custom meat cutting has been a tradition in Ogden Valley, and he intends to keep that tradition.

Commissioner Howell asked what size of trucks will be coming and going. Garet Jones stated that they will be taking the animals in their own personal vehicles to larger semi trucks at another location. He cannot imagine the size of truck picking up the waste would be larger than a regular garbage truck.

In response to a question by Commissioner Montgomery, Garet Jones indicated that he will be accepting all livestock. There will be no semi trucks at the site whatsoever. Commissioner Warburton indicated that Mr. Jones has done his homework this time and she appreciates that.

Chair Hollist asked at what point and how did the language collector or arterial road enter the Weber County ordinance? Garet Jones indicated that that language was entered so that the use wouldn't be in every subdivision. The Engineering Department did traffic counts on both roads for the Board of Adjustment hearing. Chair Hollist asked what his personal

involvement was with the ordinance change and Gareth Jones said that he filled out and submitted an application to the Planning Division staff. He appeared before the Weber County Commission and they approved the use being added in the Weber County code. Chair Hollist asked Mr. Jones how he envisioned accessing this facility given the change to the Weber County code. Gareth Jones indicated that there is a 44 ft. span between the hillside and the road. They were going to access it from 4100 N., but Weber County Engineering recommended that they access the property from 3800 N. for safety reasons. It was based on that opinion that he applied to the Board of Adjustment for a variance.

Commissioner Warburton asked Chair Hollist to explain that the Planning Commission is bound by the Board of Adjustment's opinion. Chris Allred, Legal Counsel, indicated that in this case, Mr. Jones appeared before the Board of Adjustment and requested a variance from the existing ordinance standards. The board members evaluated the application based upon the criteria they are required to look and determine if the request met their criteria. The board granted a variance that Mr. Gareth access the property from the arterial or collector road. The Board of Adjustment meeting was a public meeting.

Chair Hollist opened the meeting to public comment.

Sandra Tuck, 4251 N 3800 E, indicated they Bret Barry was the closest neighbor affected by this application and he was unable to attend this meeting but he submitted a letter and asked that Mrs. Tuck read it on record. Chair Hollist indicated that under advice of counsel it is not necessary that the public hear the contents of the letters. He has taken specific steps to ensure that all commissioners that are here have read the letters. Jim Gentry summarized the letters as well in his presentation. Mrs. Tuck indicated that Mr. Sorensen and Mr. Rohde have written letters and she can provide the members a copy of Mr. Rohde's letter. She read Mr. Rohde's letter of concern which listed the timeline of Mr. Jones' operation including requesting the State property rights Ombudsman's opinion. Before the use was added to the zoning ordinance, the neighbors discussed their concerns of the operation with the County Commissioners, but they did not accept their arguments and the change became rule. He could not see how the County could recommend access from 3800 E. because the road is used by children.

Sandra Tuck indicated that the County Engineer has requested a building permit but a building permit could not be found in the archive records for the year the building was built. The neighbors want a property survey to ensure that the required setbacks can be met. They do not believe the shrubs could be planted on a county right of way.

Judi Culley, 4100 N. 3670 E., said that the children catch the bus on 3800 E. and 4100 N. and she is concerned with safety. Another concern is the dust from the gravel road. She also doesn't believe that large trucks would be able to turn around where proposed. She saw waste travel by her house in open pickups and would like to know how the waste would be handled. She also wants to know why Mr. Jones does not live on the property. Commissioner Warburton indicated that no trucks would go up the little driveway. They don't know the size of the trucks proposed at this time, but it was explained that it would not be any larger than a garbage truck. It is not their business that Mr. Jones does not live on the property where his business is located.

Clay Poulter, 4170 N. 3800 E., indicated that his home and bedroom window sits less than 100 ft. from the parking lot. He indicated his possible concern about the noise from the refrigerated delivery trucks. The access to the building is very icy in the winter and it is a bigger safety concern than access off of 4100 N. He also agrees with all of the previous comments that have been made.

Steve Clarke indicated that access from an arterial or collector road is an important aspect of the ordinance. The applicant has clearly and thoughtfully invested a lot of time in design of the access from 3800 E. The proposed access from 4100 N. was only a few feet from the intersection and he can see why the County Engineer was concerned. Mr. Clarke expressed concern that the Board of Adjustment was not presented with all possible alternatives regarding access. Chris Allred indicated that the Board of Adjustment case was heard on May 23, 2013 and he believes that the time is past to be able to appeal that decision to the District Court. He doesn't believe that the Planning Commission has the right to question the Board's decision.

Garet Jones said that he was given the appropriate permits and acted after those permits were given. Regarding size of trucks, most of the waste will be hauled out in pickup trucks. Commissioner Montgomery indicated that depending on the company, they could probably send a small truck. The remains of domestic elk can be buried within 72 hours; however, he will not be burying domestic elk on site. He will look into the cost of a delivery service.

In response to a question by Commissioner Miller, Garet Jones indicated that he is not operating the business right now.

Commissioner Howell asked Mr. Jones how many days per week would he be operating during the fall season. Garet Jones indicated that during the fall season, he could be operating 7 days a week. His posted hours of operation will be 8:00 AM to 5:00 PM.

Garet Jones stated that in days past, there were open pickup trucks hauling the waste. All the meat is packaged to be consumed. He can guarantee that none of their waste will be liquid dripping down the roads, but he cannot guarantee that someone delivering an elk will not have liquid dripping. Commissioner Warburton asked if Mr. Jones is required to guarantee that, and Chair Hollist replied no. Chair Hollist indicated that Ms. Culley raised the question, so he had to ask.

Chair Hollist clarified that the text amendment took place before this application. Jim Gentry replied that the applicant came in and spoke to staff who indicated that the use fits within the AV-3 Zone (as part of an agricultural operation) and a land use permit was issued. The neighbors challenged staff's interpretation and the Board of Adjustment agreed with the neighbor. They also received an opinion from the State Ombudsman's office who agreed with the neighbors and then staff rescinded the land use permit for the use. At no time, during the process to that point did the Weber County Planning Commissioners and Board of Adjustment change the ordinance. Mr. Jones then stopped his operation and filed an application to change the zoning ordinance to allow meat cutting use. The County Commission approved that application to add the use to the zoning ordinance. The ordinance was changed by the County Commission if the business was accessed off an arterial or collector.

Jim Gentry replied that the use was added to the zoning ordinance, but the County Commission required that the meat can come from anywhere in Weber County, but not from any other county.

Chair Hollist indicated that the building permit referred to was for the existing building (the old shrimp house). In order for approval, Garet Jones has to pull a permit for the restrooms and he has to ensure the building meets current building code. Jim Gentry replied that he is correct.

Chair Hollist what happens if the building did not have a permit for the original use raising and harvesting shrimp. Chris Allred that they ask if the building was legal at the time it was built? If it was, then it would be grandfathered in. If not, then they go back and try to remedy that situation with making it come into compliance. Jim Gentry indicated that he believes that he has seen Planning Commission minutes on the shrimp building (not from the building inspection).

Chris Allred doesn't believe that they are required to see a certified record of survey.

Regarding potential noise from the refrigerator trucks, Commissioner Warburton said that the Schwann's trucks are large delivery trucks. Commissioner Miller said where she lives the garbage trucks begin at 4:30 AM.

Chris Allred indicated that he believes they need to look at; "Is that a reasonably anticipated detrimental effect?"

Commissioner Warburton indicated that in heliport application in the Ogden Valley, they approved an application contingent upon the applicant coming back to them in one year. In that one year period, there was not a complaint. They could do that in this case as well.

Jim Gentry indicated that there was discussion on the access to the west, and the Board of Adjustment indicated that this was the best location.

Garet Jones indicated that Epic Engineering is a professional engineering company. The County Building Permit has inspected the building several times, and no comments have been made. Whatever delivery company he contracts with he believes would not deliver or pick up during the night. The first year they operated they only had seven trucks the entire year.

MOTION: Commissioner Warburton moved to approve CUP 2012-04 to be revisited in one year with all conditions rendered. She believes that this is in keeping with the Ogden General Plan. She appreciates the concerns made but they are bound by law to approve. Commissioner Montgomery seconded the motion.

DISCUSSION: Commissioner Howell said if set parameters are set by the company, the delivery companies would have to operate within those parameters. This is a reasonably anticipated detrimental effect and that is part of the solution. Commissioner Warburton asked Commissioner Howell how he would change the 8:00 AM to 5:00 PM hours, and Commissioner Howell replied that he wouldn't.

Chair Hollist stated the following:

1. He believes that it is reasonable to require treatment of the road base with a brine solution. It is used to great advantage in North Fork Park and there is no dust and it becomes almost like asphalt. It is reasonable especially with Mr. Poulter being located in close proximity. The "gravel" road will be road base and treated with some type of chemical dust solution).
2. Screening – space is a problem because as described it is a 60 ft. road and 18 ft. shoulders. He asked Counsel if they require the applicant to plant the plantings right on the property line. The plantings would arch into the shoulder area (county right of way). Chris Allred suggested that they want to avoid trespassing on any right of way. The more you can avoid overhang into the county right of way the better.

Rob Scott stated that it is not unusual to have planting in a county right of way. They could contact the road department and engineering department to verify what could be planted. Commissioner Howell indicated that there are certain plants they could put in that don't arch into the right of way. Rob Scott indicated that the driveway has to be on his property, not in the public right of way.

Commissioner Warburton said that she feels totally inadequate making those type of decisions and wishes that Commissioner Graves was in attendance. Chair Hollist stated that he believes the screening not only should be where located, but he believes in the interest of Mr. Poulter that they should require either natural or adequate fence screening all the way from the east edge of that driveway to the parking lot not just at the edge of the driveway at the alternative entry way into that facility. Commissioner Warburton indicated it could be arborvitae, poplars, quakies, etc. Chair Hollist believes it should be left up to the applicant what to plant. Chris Allred indicated that they should ask what is the detrimental effect they are trying to mitigate; are they just trying to prevent view from trucks that are being driven up and down the roadway.

Commissioner Miller stated that she believes it is asking too much to require planting all the way from the east edge to the parking lot. The purpose is to plant something there to stop people from turning into the driveway. Shrubs do not seem substantial enough that will stop the use as a driveway. Commissioner Montgomery stated that if they want to hide the driveway, they could put bollards or big rocks, etc. to stop the traffic into there to prohibit the use of the driveway or do they want to hide the view from the deliveries. They can't fill in the drainage swale. Jim Gentry indicated that they envisioned rocks with shrubs in front to soften the view.

3. Chair Hollist said they should excavate more of the hillside back toward the loading dock than what is shown on the plan to guarantee that it works for trucks the size of Commissioner Montgomery's truck. Does this mean providing a larger turning radius? Commissioner Howell indicated that the County Engineer will look at the dimensions. Chair Hollist said that they could require that the applicant provide sufficient radius that the vehicles can turn and go out facing the south. He doesn't want to put any child at risk. Commissioner Warburton and Miller agreed that they cannot guarantee that.

Friendly Amendment:

Chair Hollist suggested they add the following requirements to the motion: 1) that the roadbase of the driveway and parking lot be treated with some chemical treatment that is known to eliminate dust, 2) add to the 5 gallon shrubs, landscape boulder or bollards to guarantee no access from that driveway, and 3) where the driveway intersects the old driveway that it is sufficient to allow 180° turning radius. Commissioner Warburton accepted the friendly amendment.

VOTE: A vote was taken and Chair Hollist indicated that the motion carried 5-0.

3.2. Legislative Item**a. New Business****1. Rules of Order Amendment Regarding Voice Vote**

Rob Scott indicated that both Planning Commissions have discussed having all votes before the Planning Commissions be done by voice vote. This amendment would avoid confusion from the various vote circumstances and is also consistent with the way the County Commission votes.

Most often it is clear that the Chair can tell that whether a yay or nay carries. Chris Allred said that there may be some cases that will require a voice vote such as with a closed deliberation.

MOTION: Commissioner Warburton moved to accept the change the Rules of Order as stated in the June 11, 2013 memo from staff allowing the planning commission to pass motions on ayes and nays collectively.

4. Public Comments for Items not on the Agenda:

Steve Clarke apologized with taking their time not knowing the specifics of the Board of Adjustment proceedings.

5. Remarks from Planning Commissioners: There were no additional comments.**6. Report of the Planning Director:**

- Rob Scott indicated that the County Commission approved the sign ordinance amendments last week. They approved 4 x 8 political signs with an unlimited number.
- Commissioner Graves was reappointed by the County Commission.
- They will have a public hearing at their July 30, 2013 meeting to discuss the Ogden Valley Pathways Master Plan and the Moderate Income Housing Plan.
- They have identified August 15, 2013 for a joint meeting with the County Commission to discuss nodes in the Ogden Valley. (Note by staff: This meeting was changed to September 5, 2013)

Chair Hollist would like to change our terminology and not refer to it as a nodes study. He would like it to be broader and call it a development plan. Rob Scott said that could be discussed during that work session.

Chair Hollist indicated to what extent will that meeting be public, and Mr. Scott indicated that it will be noticed as a public meeting.

7. Remarks from the County Attorney: There were no comments made.**8. Adjourn:**

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Sherri Sillitoe, Secretary,
Weber County Planning



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on an administrative application - Conditional Use Permit 2013-19 for a 415,000 gallon water tank, well, and pump house for Powder Mountain.
Agenda Date:	July 30, 2013
Applicant:	Gregg Greer, Powder Mountain Water and Sewer District
File Number:	CUP2013-19

Property Information

Approximate Address:	Hidden Lake Lodge
Project Area:	Powder Mountain
Zoning:	Commercial Valley Resort Recreation CVR-1 Zone
Existing Land Use:	Hidden Lake Lodge
Proposed Land Use:	Water tank, well, and pump house
Parcel ID:	23-012-0030
Township, Range, Section:	7N 2E Section 6

Staff Information

Report Presenter:	Jim Gentry jgentry@co.weber.ut.us 801-399-8767
Report Reviewer:	SW

Applicable Ordinances

- Land Use Code Title 104 Chapter 11 (Commercial Valley Resort Recreation CVR-1 Zone)
- Land Use Code Title 108 Chapter 2 (Architectural, Landscape, and Screening Design Standards)
- Land Use Code Title 108 Chapter 4 (Conditional Uses – Special Provisions)
- Land Use Code Title 108 Chapter 10 (Public Buildings and Public Utility Substations and Structures)
- Land Use Code Title 104 Chapter 27 (Natural Hazards Overlay District)

Type of Decision

Administrative Decisions: When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting approval to construct and operate a 415,000 gallon culinary water storage tank, well, and pump house at Powder Mountain. This project is part of the Summit at Powder Mountain development. The water tank, well, and pump house (control building) will be part of Powder Mountain Water and Sewer district. The project lies within the Commercial Valley Resort Recreation (CVR-1) Zone which conditionally allows Public Utility Substations. The water tank will be located near the southeastern edge of the Hidden Lake parking lot, adjacent to the Weber State property. Culinary water for the new tank will be provided by a new well and pump house located approximately 100 feet from the new reservoir.

The water tank will be an approximately 68 foot round reinforced concrete structure. The tank will stand approximately 20 feet above the finished grade on the down hillside. The water tank will be completely buried, with the roof having 2 feet of back fill. The final backfill grades surrounding the tank will be limited to slopes no greater than 3 feet horizontal to 1 foot vertical. The water tank had geo-technical studies prepared concluding that the soil and slopes are sufficient for the proposed construction if geo-technical recommendations are followed. Site access will be via the existing dirt roads. The storage tank and the well pump station site improvement designs include restoration plans to restore native vegetation and to blend the new facilities with the surrounding landscaping.

The well site will be approximately 60 ft to the west of the proposed new tank. The location of the well must be within 150 ft of the point of diversion as identified in the associated water right. The well house (pump house or control building) should be located near the well to allow for electrical and control cabling.

The pump house building will be 240 square feet in size. The photo of a similar type building provided as Exhibit G meets the requirements of Title 108 Chapter 2 (Architectural, Landscape, and Screening Design Standards). The pump house will be an earth tone brown instead of the red color.

Any additional State or geo-technical requirements encountered during construction will be considered as "conditions of approval" and will be communicated to the Weber County Engineering Division and Building Inspection Division to ensure compliance.

Summary of Planning Commission Considerations

Conditional uses shall be approved on a case-by-case basis. The Planning Commission shall not authorize a conditional use permit unless evidence is presented to establish:

1. Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.
2. That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

▪ Are there negative impacts that have not been mitigated?

1. The water tank will be buried and re-vegetated with native grasses. Any piping that is visible from the site will be visible from the road located below the tank. The well house will be painted a brown color. Access to the water tank, well, and pump house are from existing dirt roads.
2. The proposed water tank, well, and pump house will comply with all applicable land use codes.

Conformance to the General Plan

This application conforms to the Ogden Valley General Plan by providing additional infrastructure for anticipated water needs.

Conditions of Approval

1. Requirements and recommendations of the County Engineering Division.
2. Requirements and recommendations of the Weber Fire District.
3. Requirements of the Weber County Health Department.
4. Requirements of the Weber County Building Inspection Division.
5. Requirements and recommendations of the State of Utah, Division of Drinking Water.
6. Requirements and recommendations of the Geo-Technical Engineer.
7. Requirements and recommendations of Powder Mountain Water and Sewer District.

Staff Recommendation

Staff recommends approval based on the application's compliance with the requirements for 1 and 2 of the Summary of Planning Commission Considerations above. This recommendation is subject to staff and other agency comments and requirements. Prior to a Conditional Use Permit being issued the applicant shall submit the appropriate required letters and/or permits from the appropriate review agencies including the construction permit from the Division of Drinking Water. The decision of the Planning Commission may be appealed to the County Commission by filing such appeal within 15 days after the written decision of the Planning Commission.

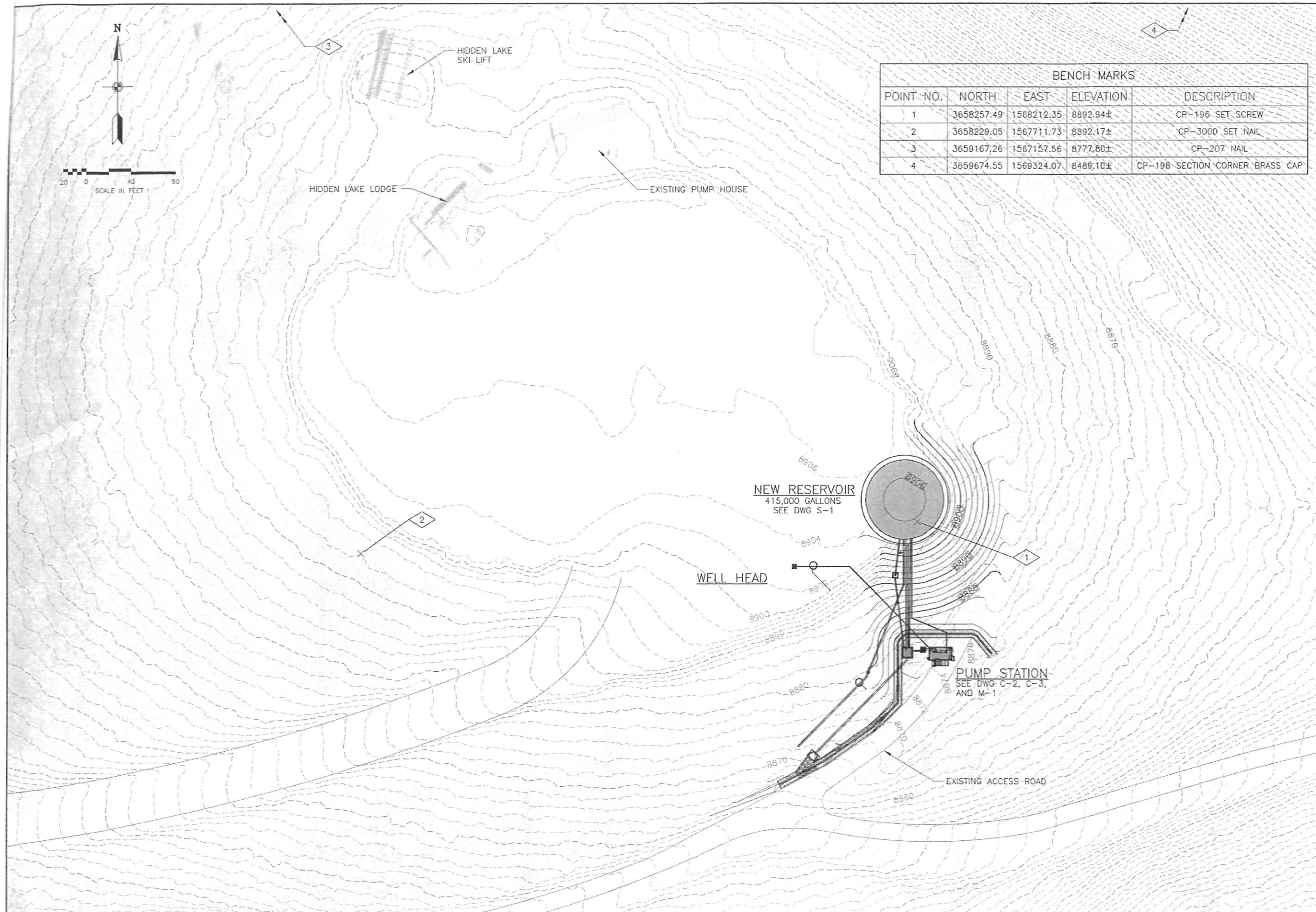
Exhibit

- A. Vicinity Map
- B. Tank Grading Plan
- C. Reservoir Foundation Plan
- D. Pump House Drawings
- E. Powder Mountain Water and Sewer District Review
- F. Pump House Building

Exhibit A



Exhibit B



BENCH MARKS				
POINT NO.	NORTH	EAST	ELEVATION	DESCRIPTION
1	3658257.49	1568212.35	8892.94±	CP-196 SET SCREW
2	3658229.05	1567711.73	8892.17±	CP-3000 SET NAIL
3	3659167.26	1567157.56	8777.80±	CP-207 NAIL
4	3659674.55	1569324.07	8489.10±	CP-198 SECTION CORNER BRASS CAP

Bowen Collins
& Associates, Inc.
CONSULTING ENGINEERS



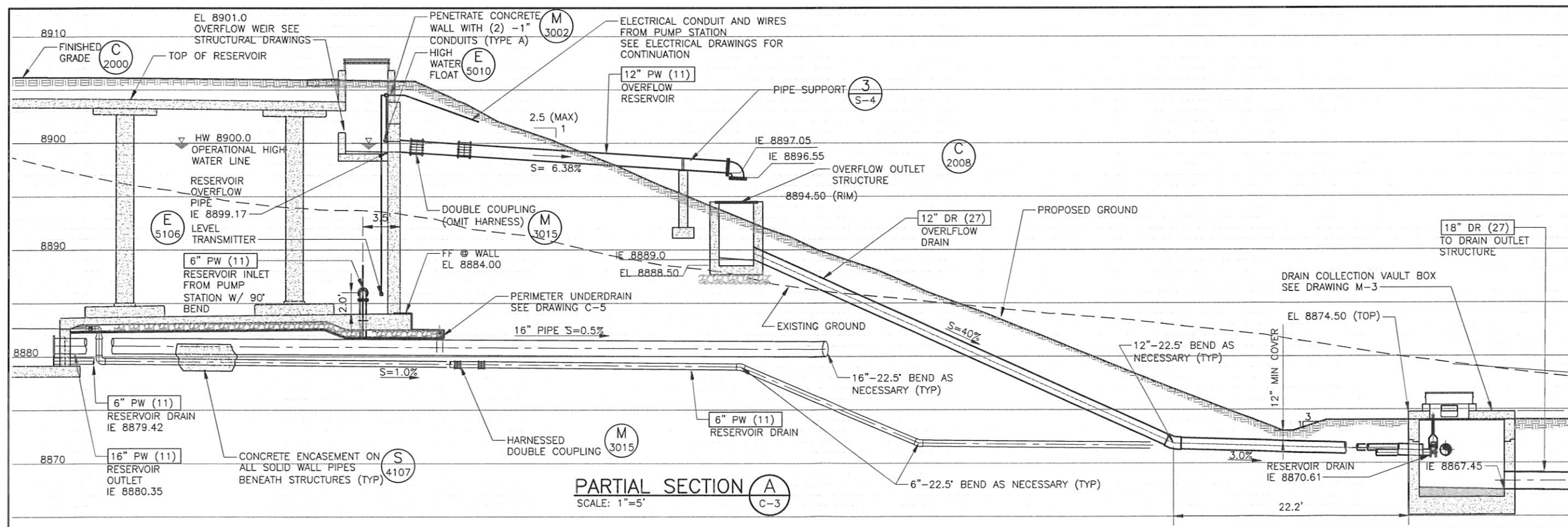
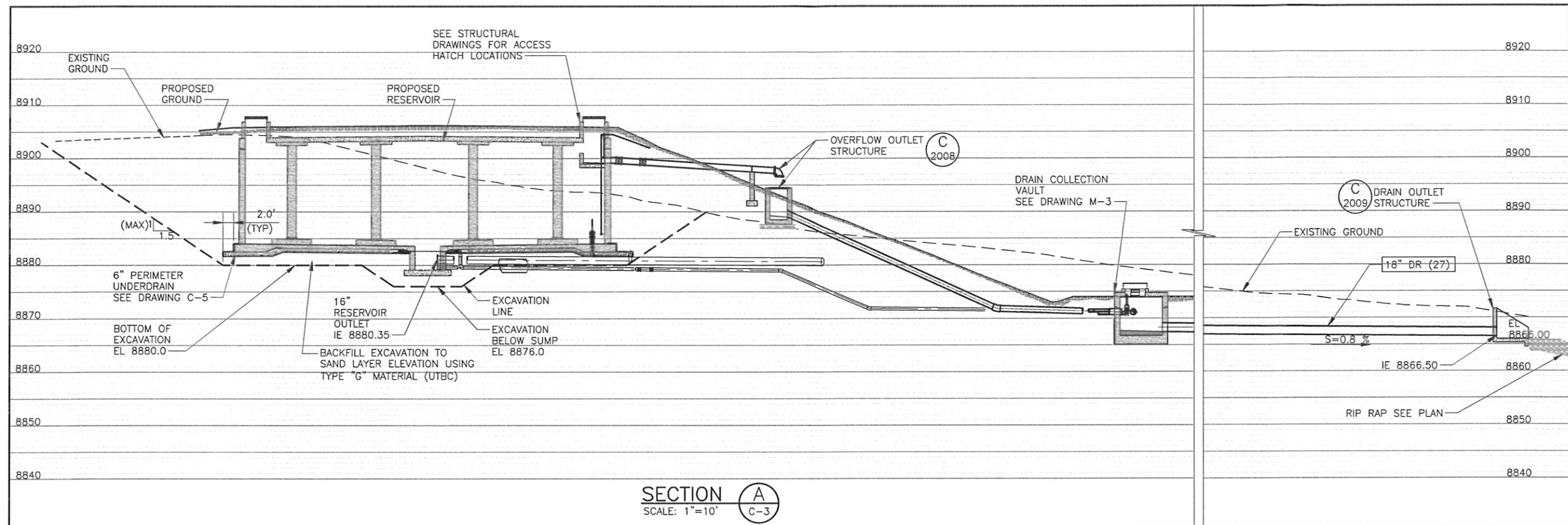
REVISIONS			
NO.	DATE	REV. BY	DESCRIPTION

HIDDEN LAKE WATER PROJECT WEBER COUNTY, UTAH			
DESIGN	REVIEW	VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING	
DESIGN E.N./R.G. DRAWN R. GARCIA	CHECKED G. LOSCHER APPROVED J. BECKMAN		

OVERALL SITE PLAN	
CIVIL	PROJECT NUMBER 347-12-01
DATE: JULY 2013	

DRAWING NO.	
C-1	
SHEET 5 OF 50	

Exhibit C



Bowen Collins
& Associates, Inc.
CONSULTING ENGINEERS



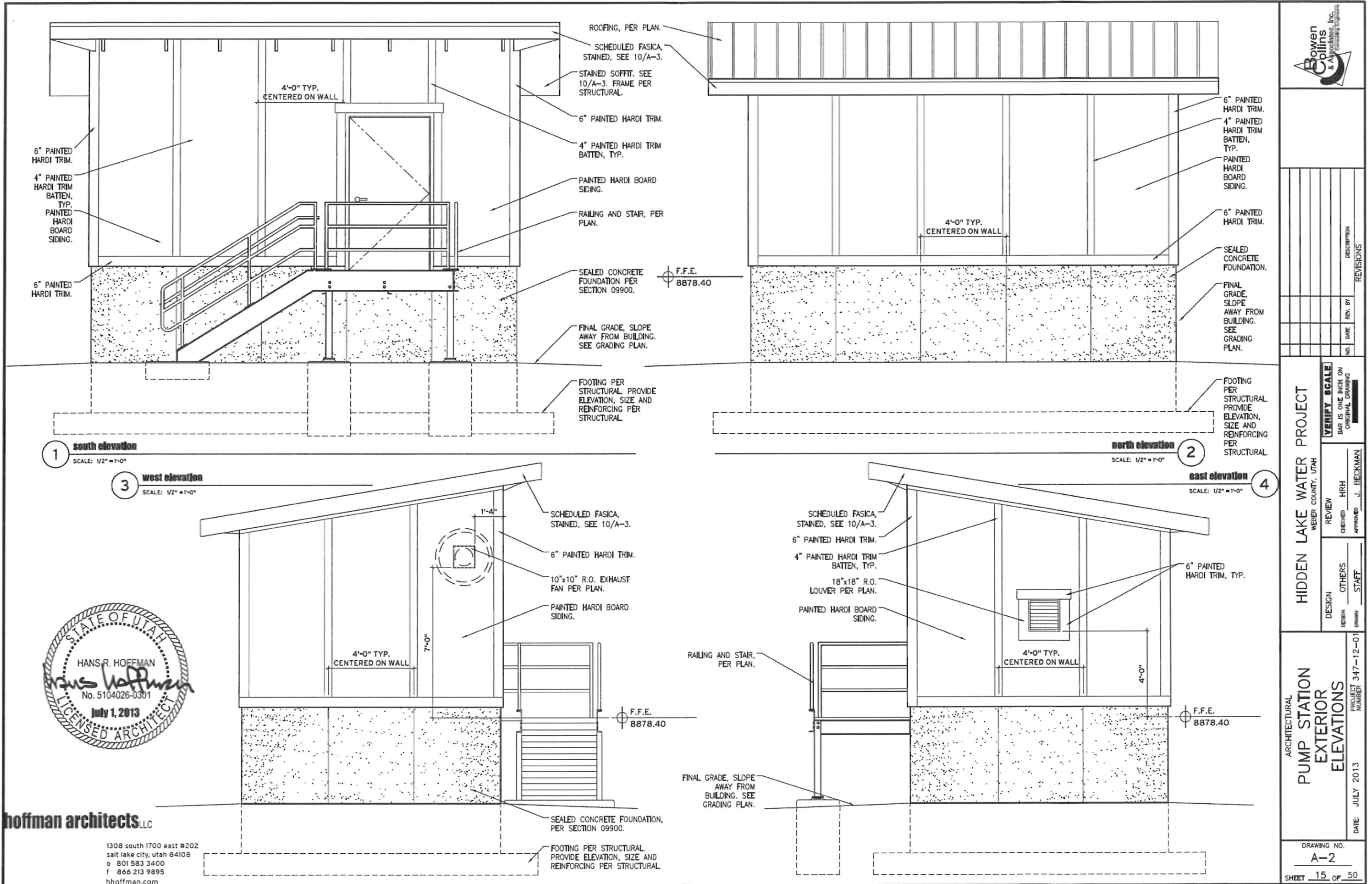
NO.	DATE	REV. BY	DESCRIPTION

VERIFY SCALE	REVIEW	DESIGN
BAR IS ONE INCH ON ORIGINAL DRAWING	CHECKED G. LOSCHER	DESIGN E. NEIL
	APPROVED J. BECKMAN	DRAWN R. GARCIA

CIVIL
HIDDEN LAKE WATER PROJECT
WEBER COUNTY, UTAH
RESERVOIR
YARD PIPING SECTIONS
DATE: JULY 2013
PROJECT 347-12-01
NUMBER

DRAWING NO.
C-4
SHEET 8 OF 50

Exhibit D



hoffman architects LLC

1308 south 1700 east #202
salt lake city, utah 84108
o 801 583 3400
f 866 213 9895
h hoffman.com

Exhibit E



MEMORANDUM

To: Gregg Greer, Chairman, Powder Mountain Water & Sewer District

From: John Reeve, PE, District Engineer

RE: **Summit at Powder Mountain PRUD Proposed Well and Reservoir**

Date: July 11, 2013

Reference #: 4971-07

On July 10th, Gregg Greer, Earl Chamber, and I, visited the Hidden Lake site for the Summit at Powder Mountain's (SPM) proposed new well and reservoir. We reviewed the project's site and construction plans prepared by Bowen & Collins prior to our site analysis. Following our site visit and plan review, we recommend to the District our approval for construction of the new well and reservoir.

Our review of the geotechnical report prepared by Raba Kistner Infrastructure indicates that the Hidden Lake site (east edge of the parking lot) is a better location than the Earl Peak site. Soil conditions at Hidden Lake are better suited for construction as well as safety purposes for the new well and reservoir.

Our review included analysis of the proposed placement of the well and reservoir in connection with yearly snow removal requirements from the adjacent parking lot. We determined very minimal conflicts exist that would impede snow removal activities.

The proposed connection of the existing 80,000-gallon reservoir to the new 415,000-gallon reservoir is still under consideration and; at this point, is not approved for construction. Possible options for connection include:

- modifying the existing pump station
- designing an electronically-controlled pipeline between the reservoirs.

Approval of the new well and reservoir project is still conditional upon developing a minimum 130 gallon of water supply. (As per the requirements of Utah's Division of Drinking Water.)

We have tried to address all items of concern. Further concerns that may need to be addressed during additional reviews and during construction of improvements include but are not limited to:

- The new well does not produce the required 130 gallon water supply
- Design plans for the well head and how it integrates with site must be reviewed and approved
- Plans for the possible connection of the existing and new reservoirs must be reviewed and approved as well.

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Exhibit F





Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application (Design Review 2013-07) for temporary gravel excavation and rock crushing operation at Powder Mountain Ski Resort

Agenda Date: Tuesday, July 30, 2013

Applicant: Russ Watts, Representative for Summit Mountain Holding Group, LLC

File Number: DR 2013-07

Property Information

Approximate Address: Powder Mountain Ski Resort

Project Area: N/A

Zoning: Forest Valley-3 (FV-3)

Existing Land Use: Ski Resort

Proposed Land Use: Temporary gravel excavation and rock crushing operation

Parcel ID: 23-012-0068

Township, Range, Section: T7N, R2E, Section 6

Adjacent Land Use

North:	Ski Resort	South:	Ski Resort
East:	Ski Resort	West:	Ski Resort

Staff Information

Report Presenter: Sean Wilkinson
swilkinson@co.weber.ut.us
801-399-8765

Report Reviewer: JG

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 14 (FV-3 Zone)
- Weber County Land Use Code Title 108 (Standards) Chapter 1 (Design Review)

Type of Decision

Administrative Decisions: When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting approval to conduct a gravel excavation and rock crushing operation on a temporary basis at Powder Mountain Ski Resort. The purpose of the excavation and crushing operation is to provide material for use in road construction within future phases of the Summit at Powder Mountain Development. Rock crushing will be allowed only for material harvested on-site. No off-site material may be brought in for crushing, and no on-site material may be crushed and then exported to other locations.

This project is located in the FV-3 Zone where development of single-family dwellings is permitted, and uses customarily incidental to permitted uses are also permitted. Staff has determined that a temporary gravel excavation and rock crushing operation is a use which is customarily incidental to the construction of infrastructure in a subdivision for single-family dwellings, and is, therefore, a permitted use in the FV-3 Zone. This use is consistent with and very similar to a rock crushing operation approved by the Planning Commission in 2009 (DR 2009-01) for Eagle Ridge Subdivision.

The gravel excavation and rock crushing operation will be located approximately 1900 feet south of and uphill from the Timberline Lodge, in an area formerly used as a gravel excavation site. The excavation site is approximately 1,200 feet by

200 feet with an estimated 400 tons of material to be harvested. The nearest dwelling units are the Powder Ridge Condominiums located approximately 1,900 feet from the southern-most portion of the site. Noise mitigation is tied to the distance from the Powder Ridge Condominiums. Water trucks will be on site to mitigate potential problems with dust. There is limited vegetation at the operation site, but the vegetation that is disturbed will be re-vegetated with native grasses. The Weber County Engineering Division is requiring a Storm Water Pollution Prevention Plan (SWPPP) to be submitted for the operation along with obtaining a Storm Water Activity Permit.

Road construction is expected to take at least two building seasons (through Fall 2014) and the operation is intended to remain until construction is complete or until the material is gone. However, the operation will not operate during the winter months and all of the equipment will be removed in the fall and replaced in the spring. The operation will run during daylight hours up to seven days per week as necessary. The applicant has estimated that between 10,000 and 15,000 round trips for dump trucks travelling up and down Powder Mountain Road and through the Ogden Valley can be eliminated by using the material harvested on-site.

Summary of Planning Commission Considerations

- Are the proposed noise and dust mitigation measures adequate?
- Should the operation be approved through the fall of 2014 or until road construction is complete?
- Are there other potential impacts that have not been addressed?

Conformance to the General Plan

The proposed use is customarily incidental to the construction of the Summit at Powder Mountain development, and is, therefore, a permitted use that meets the requirements of the FV-3 Zone and conforms to the Ogden Valley General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Division.
- Requirements of the Weber-Morgan Health Department.
- Crushing will be allowed only for on-site material to be used in Phase 1 of The Summit at Powder Mountain Development (CUP 2013-03, 154 Unit PRUD). No off-site material may be brought in for crushing and no on-site material may be crushed and then exported to other locations.
- The site plan, hours of operation, and mitigation controls must be followed as approved by the Planning Commission.

Staff Recommendation

Staff recommends approval of a temporary gravel excavation and rock crushing operation through the completion of road construction for Phase 1 of the Summit at Powder Mountain development (CUP 2013-03, 154 Unit PRUD) based on the following information:

- The operation is an accessory use that is customarily incidental to the construction of a subdivision and is permitted in the FV-3 Zone.
- The operation will significantly eliminate the number of truck trips used to haul material to this site, thus improving safety and decreasing road damage in the Ogden Valley.
- The applicant has proposed ways to mitigate potential negative impacts.

Exhibits

- A. Project Narrative
- B. Site Plan Description
- C. Site Plan Pictures

Map 1



Project Narrative

We respectfully request Weber County approve a project borrow pit source on Summit Mountain Holdings Group LLC property for the pending public and private road and construction projects, due to the massive amount of heavy trucking that will be needed to provide the aggregates required for the projects.

It is estimated the approval of a source near the project will save between 10,000 to 15,000 round trips of the massive loads that will have to travel up and down Powder Mountain road, Ogden Canyon, the Ogden divide and Trappers Loop. It is estimated that many of these trucks will be hauling between 16 to 27 tons of material per trip. Reducing this travel will prevent significant wear and tear on our roads that were not originally designed or intended for such.

The most significant benefit is the safety of our citizens, families and friends. Horrific accidents have plagued the powder mountain road due to the steepness and narrowness of its design. According to Paul Egbert (Region Traffic Engineer for UDOT), this road was never designed for such enormous amounts of traffic that will be associated with the project or the increasing recreational use of this growing resort community on Powder mountain.

As the private developments and phases commence, this natural gravel source will continue to benefit the community with safer roads for an extended period of heavy construction.

Natural gravel sites have been part of Powder Mountain Development for over 50 years for the same reasons. The site chosen for this site is in fact an existing source that has been used for various Powder Mountain projects. The re-approved use of this site will benefit and improve the existing conditions as explained in more detail in the Site Plan. Its location is on a ski run that has irregular terrain and would improve conditions for its intended recreational use.

Due to the short time frame left to work with pricing and the commitments that must be made by the contractor, we are asking for a 'Temporary Use Permit' until the 'Conditional Use Permit' is granted. We can't move forward with a borrow pit contractor unless a conditional use permit is granted. If there is much delay the contractor building the roads could make other commitments and arrangements to bring the materials needed from Wasatch front gravel pits.

Although it is our intention to offer this source to all contractors, we realize that unknown quantities and unknown costs will not permit us to make any assurances that project quantities can and will be available to all contractors. Knowing more about this possibility will only occur if we are able to obtain a permit and begin operation as soon as possible and determine these variables. This permission will also give us the opportunity to immediately start discussions with contractors and negotiate quantities and pricing commitments.

Summit Group's Basis for issuance of Conditional Use Permit

The owners, management and affiliates of 'Summit Mountain Holdings Group LLC' are concerned about the safety of Ogden Valley and those who reside therein. Therefore we urge all involved in this decision to seriously consider the issuance of this permit.

The most significant factor to this permit is **SAFER ROADS OF TRAVEL**. You can hang your hat on this one alone. You, your family, your loved ones and your friends will be traveling on safer less congested roads. Let's do what we can to prevent tragedy. We ask for your support to grant issuance of this permit.

How much less congested? How about potentially 10 to 15,000 less round trips of large loaded dump trucks carrying between 16 to 27 tons of material from the Wasatch front, Ogden valley and up steep and windy Powder Mountain Road. And even worse the steep descent from Powder Mountain safely. Unfortunately this descent has claimed many lives due to poor judgment, being in the path of runaway vehicle, brake and mechanical failure, or simply going too fast and losing control.

Granting quick approval of this permit is an urgent matter.

Lives will be saved. Accidents and serious injuries will be reduced.

The site of the Gravel source on the mountain couldn't be much better. It has a great work site that is easily accessible to construction vehicles.

This gravel source will have minimal if any negative impact on environment. It is felt that it will actually improve the environment by creating a smoother more consistent slope for skiers.

Compliance and Zoning

The proposed use of this site for a gravel source is in compliance with zoning regulations.

Applicant will also obtain a 'Storm and water activity permit' and a 'Storm Water Pollution Prevention Plan' for gravel source location.

Exhibit B

Powder Mountain quarry pit 'Site Plan'

Summit Mountain Holdings Group LLC
5200 Highland Drive
Salt Lake City, Utah 84117

The intended development of gravel source serves two purposes.

First, the material that will be shaved from the humps and irregularities of this ski slope is composed of an excellent aggregate source. This material will be processed and used as aggregates for road and construction projects on Powder Mountain. These aggregate materials will not be used for any projects that will require loaded trucks traveling down Powder Mountain Road below the Lower gate near Mile Marker 7.

Second, it will improve the overall appearance, conditions and use as a ski run. The site is currently under scrutiny by ski enthusiast and staff members because of the inconsistent angle of the slope. The slope has a irregularity that would improve skiing conditions if removed. It is roughly estimated that as much as 400 tons of material could be removed from this area and provide a nice improvement to the existing gravel pit. Very little vegetation is growing at this site due to the exposed gravel. It is fair to say that this area is unsightly, barren and irregular. Proper grooming to this site will clean up and enhance the Ski Run according to Roger Arave, Director of Powder Mountain Operations.

We will start the clean up near the Timber Lift. (see exhibit "A" and "B") In this area we will grade down to a consistent level that improves the appearance and use of Timber Lift. From this point we will work our way down with a nice continual slope that extends possibly as far as the base of the slope (1200 feet) in the shape of an irregular rectangle. The width will be approximately 200 feet as seen in exhibit in "B"

Mobile crushing unit(s) will be installed and used to process this material that can be used for the projects and provide a safer overall ski run or trail. Other equipment as needed will be used at the site to meet the demands of the operation. This excess material will be removed to a work site location in close proximity as specified in the job description's. All equipment and materials will be removed from site prior to the winter ski season and reinstalled in the spring as conditions permit.

The hours of operation will be from dusk to dawn due to the remote location and the large quantities of material that will be required on this project's and the time frame requirements of the contractors.

Hours of operation will be from dawn to dusk. There will be no night operations.

Due to the remote location it is not anticipated that excessive levels of dust will not be a factor, however, water trucks will be used if conditions warrant. Water will be provided from the source nearby.

There is very little if any vegetation on the site due to the fact that it is at a past gravel site. In the areas where vegetation will be removed, the topsoil will be moved away from site, stored and replaced when the gravel source site is completed. The area will be revegetated with a natural grass in harmony with existing vegetation.

This location is several hundred yards away from the access road and is on private property that will be properly posted. Access will be limited to workers or authorized personnel only.

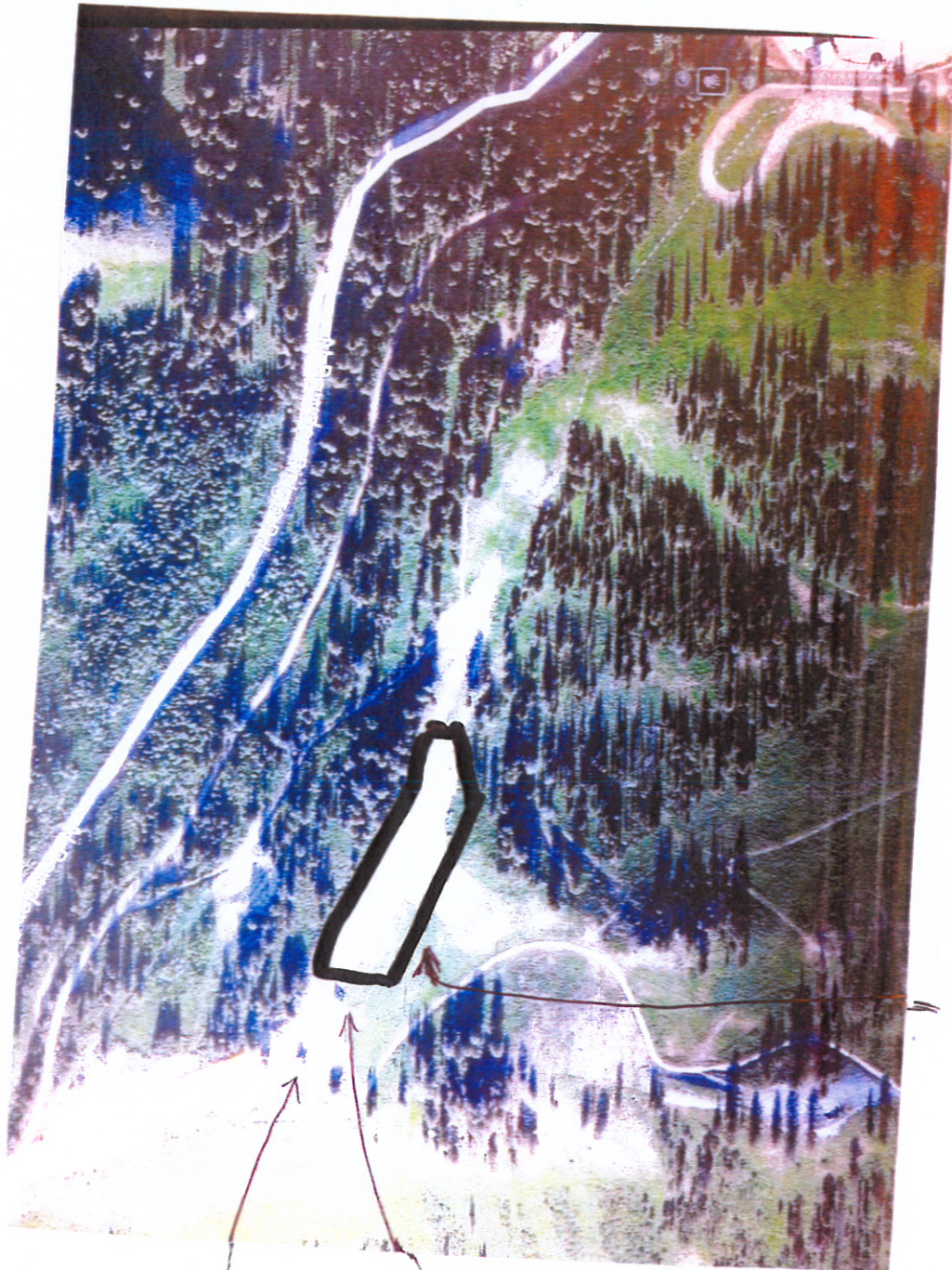
At completion of this gravel source the ski slope will be a consistent even slope with approximately as much as twice the surface width and in compliance with existing regulations of governing entities.

We do not anticipate any detrimental impacts to this site. We are actually doing some timely improvements to the mountain. The existing tree lines will be maintained and the old gravel site will be smoothed out and will be retired at the completion of the project's'.

Exhibit "A" N

Exhibit C

Timber Line Lodge



Proposed Area

Approx 1200' x 200'

Timberline Ski Patrol Hut

Timberline Lift

Skylodge

S

Exhibit "B"





Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application, Conditional Use Permit #2013-18 for an Accessory Apartment at the home located at 3230 North River Drive.

Agenda Date: Tuesday, July 30, 2013

Applicant: Theresa Ellis-Anglesey

File Number: CUP 2013-18

Property Information

Approximate Address: 3230 North River Drive

Project Area: 0.65 Acres

Zoning: AV-3

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 22-068-0001

Township, Range, Section: T7N, R1E, sec 28

Staff Information

Report Presenter: Ben Hatfield
bhatfield@co.weber.ut.us
801-399-8766

Report Reviewer: SW

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones) Chapter 6 Agricultural Valley (AV-3)
- Weber County Land Use Code Title 108 (Standards) Chapter 4 Conditional Uses
- Weber County Land Use Code Title 108 (Standards) Chapter 19 Accessory Apartments

Type of Decision

Administrative Decisions: When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Background

The applicant's home is located in the AV-3 Zone at 3230 North River Drive. This 0.65 acre parcel is lot 1 of the Eden Hills Subdivision. The requested accessory apartment is located in the basement of the home (Exhibit B and C). This home also has a home based business (DR 2010-07 Lodestar Productions music/theatre teaching) located in a separate living room in the basement.

Summary of Planning Commission Considerations

In order for a conditional use to be approved it must meet the requirements listed below under Criteria for Issuance of Conditional Use Permit. The Planning Commission needs to determine if the proposed accessory apartment meets these requirements.

Sec. 104-4-4:

The Planning Commission shall not authorize a Conditional Use Permit unless evidence is presented to establish:

1. Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.
2. That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

Sec. 104-19-2:

Accessory Apartments may be permitted, by Conditional Use Permit, in any zone in which single family residential dwelling units are allowed, under the following specifications;

1. *Relationship to principal use; appearance.* An apartment may be established only accessory to a permitted dwelling. The apartment unit shall have common wall(s), roof, and/or floor(s) with the principal dwelling. The minimum width shall be twenty feet (20) ft. with the livable floor area of the main home, with an opening from the accessory apartment to the main home, into a common living area of the main home. The opening can be closed off by a door. Basement apartments meet this requirement with the common floor. The stairs which lead to the main floor and open up into the common living space of the main home can be closed off by a door. The accessory apartment opening into a garage or storage is not considered livable space. The outward appearance of the accessory dwelling shall be consistent with the design and character of the principal dwelling in its construction, materials and finish treatment. There shall be no more than one apartment accessory to a permitted dwelling. There shall be no separate address, mailbox or utilities.
2. *Floor area.* Living area of an accessory apartment shall contain a minimum of four hundred (400) square feet and shall not exceed a maximum of eight hundred (800) square feet; there shall be no more than two (2) bedrooms in such apartments. In no case shall the floor area exceed twenty-five (25) percent of the gross livable floor area of the total structure.
3. *Location.* An accessory apartment shall be so located upon a lot to comply with all dimensional requirements of the zoning district for new construction. An apartment located within the perimeter of an existing (by location) non-conforming dwelling, shall not be subject to such requirements. No apartment shall be located in a basement or cellar unless such basements or cellar constitutes a walk-out basement. Additions for the purpose of an accessory apartment shall be made only above or to the side or rear of the principal dwelling.
4. *Access.* An accessory apartment shall have a minimum of one (1) separate external door access from the principal dwelling located on either the side or the rear of the principal dwelling.
5. *Amenities.* An accessory apartment shall contain separate amenities from the principal dwelling: kitchen facilities, full bath, electric panel with separate disconnect telephone service.
6. *Parking.* In addition to the two (2) parking spaces required for the principal dwelling, two (2) off-street parking spaces shall be provided for an accessory apartment in a designated location on the premises. Such spaces shall be on an area prepared to accommodate vehicle parking.

Analysis: The applicant has responded to the criteria listed above in Exhibit A. After reviewing this conditional use request staff has determined that the requirements have been met of the applicable Land Use Code in the following ways:

- The apartment contains 2 bedrooms, 1 bathroom, and a kitchen / dining area.
- The 651 square foot apartment shares common floor with the principal dwelling.
- The apartment does have indirect access by way of a separate entrance (stairwell) to the side of the home.
- The driveway and parking area are sufficient for more than 2 cars, in addition to the parking area required for the home and visiting clientele.
- Due to the unique floor layout of the home, staff suggests that approval for the apartment include the additional conditions listed in the Conditions of Approval.

Conformance to the General Plan

The proposed land use meets the requirements of applicable Weber County Land Use Code and therefore conforms to the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber Fire District
- Requirements of the Weber County Health Department
- Requirements of the Weber County Building Inspection Division
- Building permits will be required for the basement finish for the apartment and kitchen.
- The basement living room is not a part of the apartment, though that is where the access is located.
- Tenants are to have the ability to access the apartment and side access (stairwell) through the basement living room at all times.

Staff Recommendation

Staff recommends approval of a conditional use permit (CUP 2013-18) for an accessory apartment at 3230 North River Drive, subject to the conditions of approval in this staff report and other agencies comments and/or regulations.

Exhibits

- A. Applicant's response to the criteria
- B. Site plan of the home
- C. Floor plans of the home and apartment

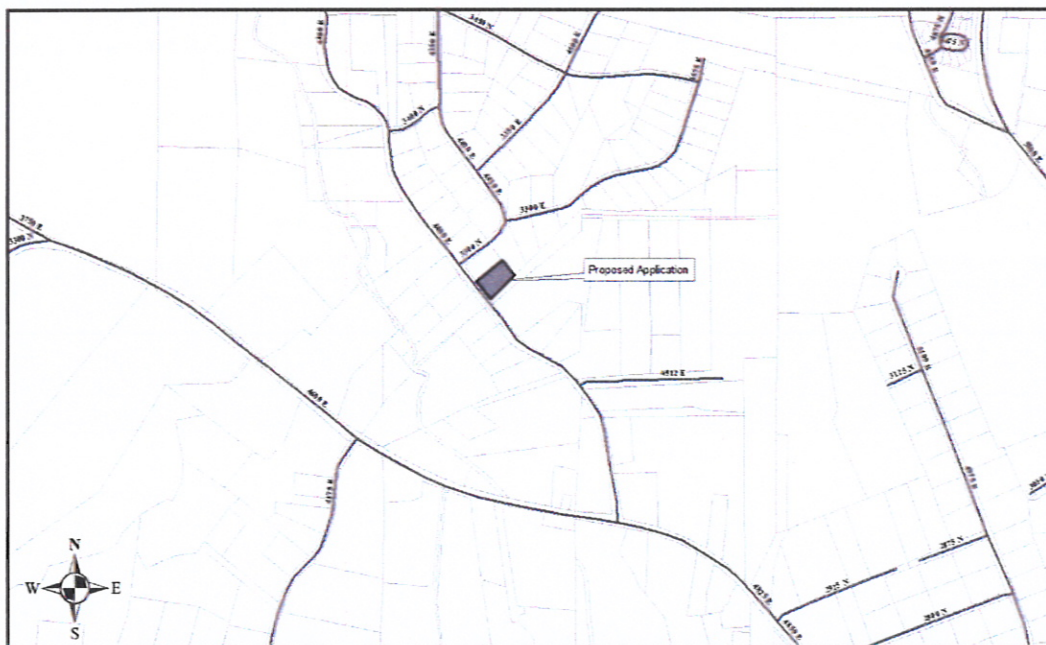
Map 1

Adjacent Land Use

North: Residential
East: Residential

South: Residential
West: Residential

Map 1



Map 2



Property Information 3230 North River Drive, Eden, UT 84310

Mailing address: PO Box 1160, Eden, UT 84310

Owner: Theresa Ellis-Anglesey

Project Name: Home sharing

Proposed use: Sharing home and second kitchen and expenses with others (rental): I am proposing to have a special use permit to use part of my basement space for extra people to share the living space in my home.

Narrative

22C-4 Criteria for Issuance of Conditional Use Permit

1. There are no anticipated detrimental effects of this proposed conditional use. There are no late night parties allowed on the premises.

2. Proposed use to comply with the regulations and conditions in the Zoning Ordinances:
42-2 1.) The apartment has common walls, roof and common floor with the principal dwelling. The interior stairs that lead upstairs is closed off by a door. The outward appearance is similar in design of the principal dwelling. There is only one mailbox and one set of utilities on the property.

2.) The floor area of the shared living space is approximately 651 square feet, and has only 2 bedrooms.

3.) The apartment is located inside main dwelling and has a walkout basement entrance.

4.) The apartment has one separate external door access located on the side of main dwelling toward the rear.

5.) The apartment has a full bath, electric panel with separate disconnect, separate phone service and kitchen facilities.

6.) There is a cement pad and asphalt double wide driveway for two additional designated parking spaces, with additional off-street parking.

42-3 The owner occupies the principal dwelling premises at all times.

42-4 See photographs included.

42-5 Owner understands the intent of affordable housing in Weber County.

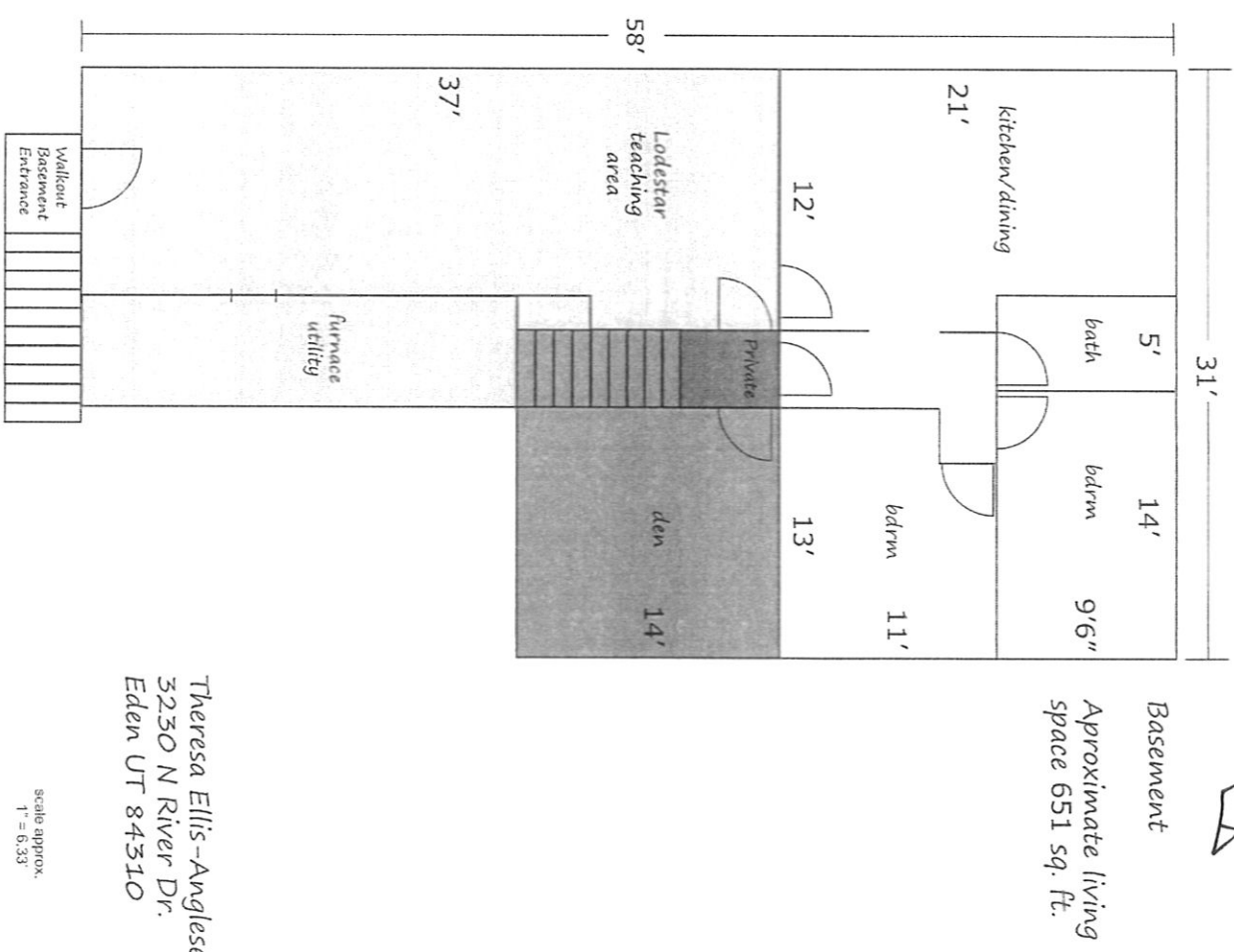
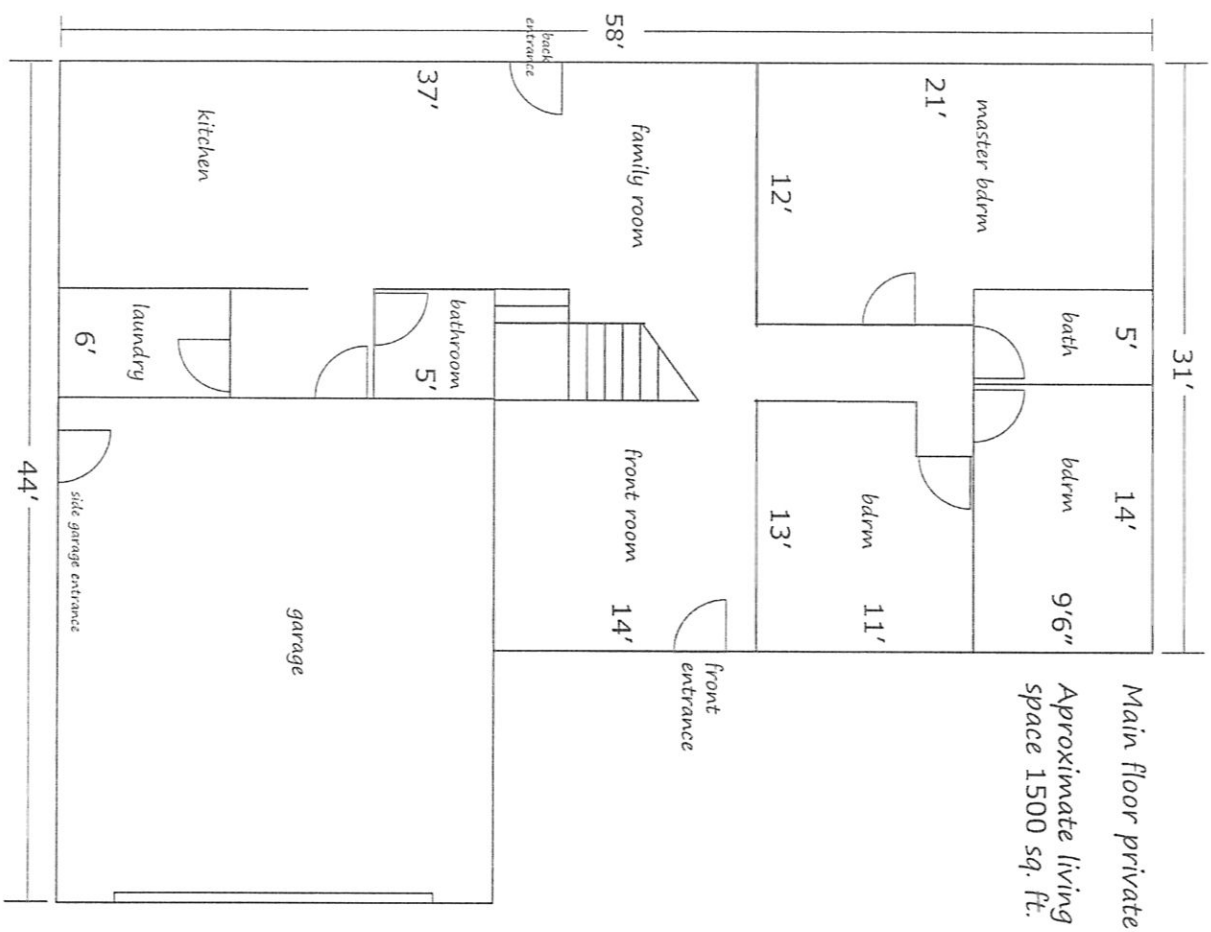
Exhibit
A-1

With regard to the Special Permit DR 2010-07 for Lodestar Productions and Business License #2084, see the documentation for Special Conditional use for teaching clientele in the home.

It is labeled on the Basement as "Lodestar teaching area". The access door for walkout basement is also used by sharing guests (renter). The living area is not shaded on the basement plot. There has rarely been any need for visiting clientele to ever park in off street areas. There has never been very much traffic from the music students as most are meeting infrequently and meet one on one, for short periods of time.

Exhibit
A-2

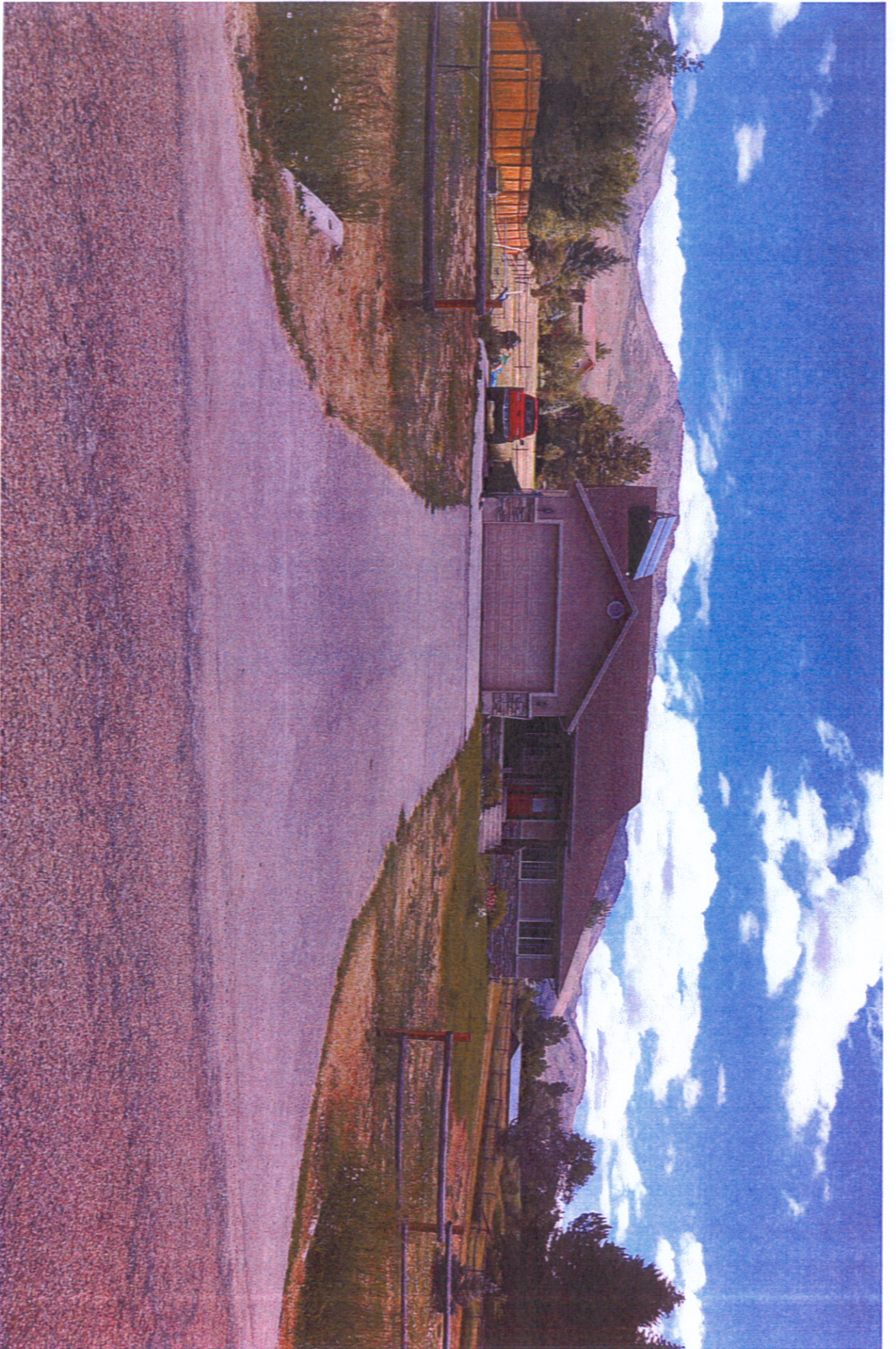
Exhibit 7



Theresa Ellis-Anglesey
 3230 N River Dr.
 Eden UT 84310

scale approx.
 1" = 6.33'









Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a legislative application, to amend the Weber County Land Use Code Title 104 Chapter 6 Agricultural AV-3 Zone, reducing the lot width requirement from 150 feet wide to 130 feet wide and labeling these properties as an Agricultural AV-3 A Zone.

Agenda Date: Tuesday, July 30, 2013

Applicant: Bradford Hammond

File Number: ZTA-2013-03

Property Information

Approximate Address: Not Applicable

Project Area: Not Applicable

Zoning: Not Applicable

Existing Land Use: Not Applicable

Proposed Land Use: Not Applicable

Parcel ID: Not Applicable

Township, Range, Section: Not Applicable

Adjacent Land Use

North:	Not Applicable	South:	Not Applicable
East:	Not Applicable	West:	Not Applicable

Staff Information

Report Presenter: Ben Hatfield
bhatfield@co.weber.ut.us
(801) 399-8766

Report Reviewer: SW

Applicable Ordinances

- Weber County Land Use Code Title 104 Chapter 6 Agricultural AV-3
- Weber County Land Use Code Title 102 Chapter 5 Rezoning Procedures

Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. Typically the criteria for recommending in a legislative matter require compatibility with the general plan and existing ordinances.

Background

The applicant owns property located at approximately 9030 East 500 South which is in the Agricultural AV-3 Zone. This zone requires a minimum of 150 feet in width and 3 acres in area. The applicant's property may only have 138 feet of width at the front yard setback, where by definition the lot width is determined. This property was also created after this zoning standard was established in 1961, and does not qualify for a variance. The applicant is proposing a sub-category to the current AV-3 Zone to be Agricultural AV-3A which would reduce the width standard to 130 feet for his property. The applicant's proposal and application are shown in Exhibit A.

The proposed format does not conform to the structure of the Land Use Code, as there is no sub-category for width in any zoning district. If a sub-category could be created within zoning districts, what would be the criteria for a sub-category?

One option would be to reduce the width requirement in the Agricultural AV-3 Zone from 150 feet to 130 feet. Staff has looked at this option and has noted some issues with this option:

- Is this new width standard consistent with the other zoning districts which have the 150 foot width standard like the G, A-1, A-2, A-3, S-1, CVR-1, FR-1, or FV-3 Zones? Should the width standard also change in those zoning districts? Zoning requirements should be not only consistent, but reliable over time. A zoning standard which has been consistently enforced for over fifty years should not be altered to benefit one land owner.
- A 3 acre lot with 130 feet in width would typically require a depth of more than 1,000 feet. Creating deep narrow lots would be difficult to plat into convenient and cohesive neighborhoods.
- This request would not be consistent with the 1998 Ogden Valley General Plan as there is a potential to further increase the overall number of units in the Ogden Valley with a smaller width standard. With the more narrow lot width standard more lots could be placed along a street. This tends to make the streets and lots look more urban. Lot width standards provide space in between homes, which create an open and rural feeling in the community.
- The Environmental Health Department has a requirement for private wells that serve lots to have a 100 foot radial well protection zone which should remain within the boundaries of the lot. Thus, lots with a well typically require at least 200 feet in width. Many areas in the Ogden Valley still use private wells, especially in the area east of Huntsville.

Staff reviewed the minutes relating to the adoption of AV-3 Zone as part of the Ogden Valley General Plan in 1998. In the record there was a lot of discussion concerning what the minimum width standard should be on a 3 acre lot. The following are some of the statements from approved minutes concerning lot width:

- "If you take a one mile section and divided it into equal lots with 60 foot roads where necessary, the lot would end up being 207.4 feet wide." "Staff recommended 200 feet".
- "Desiree Stokes, Chairman of the Liberty Planning Committee said they recommend that the 150 feet minimum width remain so that those parcel owners with 150 feet would not be penalized."
- The Environmental Health Division stated that properties that are on wells will need two hundred feet of frontage to provide a well protection easement.
- The Huntsville Township Planning Commission supported the 200 foot frontage requirement.
- "Charles Olsen, Great Basin, said their experience is they look at the 150 to 250 feet to make sure there is enough room for the home. They often deal with pie shaped lots, especially in the mountain subdivisions. Some lots are fat and some are long and narrow. In his opinion, the 200 feet frontage requirements seemed reasonable".

Ultimately, the Planning Division Staff recommended that the minimum lot width be 200 feet. However, the County Commission left the standard to remain at 150 feet, so that property owners would not need to increase the width's of their properties when converting them to buildable lots.

Summary of Planning Commission Considerations

- Is the proposed land use code language complete and consistent with the existing standards in the Land Use Code?
- Is the proposed text amendment consistent with the goals and objectives of the 1998 Ogden Valley General Plan?

Conformance to the General Plan

This is a legislative matter. The draft text is not consistent with the goals identified in Ogden Valley General Plan, specifically:

- 2.03 "Maintain the Valley's rural atmosphere and rural lifestyle."
- 3.02 "Require that development be compatible with the Valley's Rural Character and natural setting."
- 3.02 "Promote Agricultural Land." and "Identify and promote prime agricultural land."
- 8.01 "Discourage development on prime agricultural areas."
- 10.01 "To achieve the Valley desired by most residents and visitors, changes in the existing land use standards will be required. As one Valley resident put it, a "sea of roofs" is not a desired outcome from development in the next 20 years. Zoning, prior to the adoption of this Plan would ultimately result in the realization of a "sea of homes" build-out of the Valley. The changes in the Plan for Ogden Valley are intended to preserve private property rights while also preserving the rural characteristics of the Valley. Central to the approach is a combination of land uses in 'community areas' around Liberty, Eden and East Huntsville and on the surrounding hillsides."
- 10.02 "Valley residents enjoy living in the area because of its rural lifestyle and small town atmosphere. Additional growth is expected, but future development should be compatible with the existing lifestyle and not detract from the natural aesthetics of the Valley. With respect to residential land uses, the County will pursue the following directives: 1) encourage development within the existing community areas."

Staff Recommendation

Staff recommends denial of ZTA 2013-03 as proposed based on the following:

- There being no provisions in the Land Use Code for sub-categories, and the applicant is asking that only his property is allowed to have the reduced minimum lot width standard.
- Staff has considered the option of reducing the minimum lot width standard for all lots, but based on the discussion and recommendations during the adoption of the General Plan staff recommends against that option.

Exhibits

- A. Applicants application and proposal

Weber County Zoning Map Amendment Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted 6/20/2013	Received By (Office Use)	Added to Map (Office Use) <i>ETA 2013-03</i>
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Property Owner Contact Information

Name of Property Owner(s) Bradford Hammond		Mailing Address of Property Owner(s) 1938 Ruger Pl Farmington, UT 84025
Phone 801.556.3373	Fax	
Email Address bradford.hammond@gmail.com		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) Same		Mailing Address of Authorized Person
Phone	Fax	
Email Address		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

Property Information

Project Name Modify frontage requirements in AV-3 Zone for this parcel	Current Zoning AV-3	Proposed Zoning AV-3 A
Approximate Address 9030 E 500 South Huntsville, UT 84317		Land Serial Number(s) 21-024-0002
Total Acreage 4.01	Current Use Residential / Ag / Raw	Proposed Use Residential/ Ag

Project Narrative

Describing the project vision.

This is a beautiful property in unincorporated Weber County a few miles east of Hwy 39 on the North Side of 500 South. Property area per county records is 4.01 acres and is zoned AV-3. I acquired the property in 2012 and have spent much time clearing the property of the junk and debris left by the prior owner. In keeping with applicable zoning of the property, I am attempting to farm it. Eventually, I would like to develop the property so that a single family dwelling can be built on it. However, due to certain requirements in the current zoning, I have been told the construction of single family dwelling is not possible at this time. The property frontage along 500 South, per county records, is 138' while zoning requires 150' of frontage. I am proposing a sub-category to the current AV-3 zone to AV-3A for this parcel. The only change in the zoning language would be changing the minimum required frontage from 150' to 130'.

Project Narrative (continued...)

How is the change in compliance with the General Plan?

This slight modification in the zoning language is in full compliance with the General Plan. Density and other factors are not changed.

Why should the present zoning be changed to allow this proposal?

The zoning does not change with this proposal; it is a change to the current zoning language; i.e., change the frontage requirement from 150' to 130'. This will allow for the construction of a single family dwelling, which is a permitted use under the current zoning.

Project Narrative (continued...)

How is the change in the public interest?

The modification does not negatively impact the public in the immediate area; if anything, it creates value for public at large by adding value to the tax base.

What conditions and circumstances have taken place in the general area since the General Plan was adopted to warrant such a change?

I am not aware of any major changes in the general area since the General Plan was adopted. The area continues to be primarily ag and residential uses. This modification is in harmony with the area general plan.

Project Narrative (continued...)

How does this proposal promote the health, safety and welfare of the inhabitants of Weber County?
Adds value to the weber county tax base.

Property Owner Affidavit

I (We), Brad Hammond, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Brad Hammond
(Property Owner)

Brad Hammond
(Property Owner)

Subscribed and sworn to me this 19 day of June, 2013

20 June 2013

(Notary)



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration of a legislative amendment to the Ogden Valley General Plan; Ogden Valley Moderate Income Housing Plan
Agenda Date: Tuesday, July 30, 2013
Applicant: Weber County Planning Division
File Number: 2011-03 Ogden Valley Moderate Income Housing Plan

WEBER COUNTY



Housing Assessment & Plan 2012-2014

Prepared by
Lotus Community Development Institute
And James Wood

Staff Information

Report Presenter: Robert Scott
rscott@co.weber.ut.us
801-399-8768
Report Reviewer: JG

Background

The purpose of this legislative plan amendment is to update the Ogden Valley General Plan; Moderate Income Housing Plan element. This project is the end result of the first multi-jurisdictional moderate income housing plan process in the State of Utah. Having a moderate income housing plan is a mandate from HB 295. It is to be updated every two years. Each plan is to focus on the needs for citizens earning 80% or less of the area median income.

After an initial presentation in the fall of 2010 to the Weber Area Council of Governments, nine of the fifteen cities within Weber County participated in this effort, i.e., Hooper, North Ogden, Ogden, Plain City, Pleasant View, Roy, South Ogden, Washington Terrace, and West Haven. Each entity will adopt their own moderate income housing plan. Weber County is considering goals and strategies for the unincorporated area of Weber County. The team identified county-wide goals to continue the collaboration that sparked this project. (See exhibit C)

The participating jurisdictions representatives worked as a team with county representatives and Lotus Community Development (Marci Milligan and Rhoda Stauffer) who acted as the project manager and consultant, and the University of Utah Bureau of Economic Development and Research (James Wood). A \$15,000 grant was received to aid in the project from Lotus Community Development.

The group met four times over a two year period in overseeing the project. They worked collectively and the process identified the following:

1. Gathered essential economic and housing data, mapping and analysis tools;
2. Solicited and ensured meaningful community input from key stakeholders;
3. Created and prioritized inter-jurisdictional objectives, goals and outcomes with planning professionals and upon which a collective vision for regional growth could be shaped and adopted by the public, while supporting individual cities in maintaining their unique identities;
4. Sought out community-based organizational partners, and financial resources critical to its eventual implementation; and
5. Outlined a structure to assist in carrying the goals and objectives forward.

Regular updates and discussions were held with the Weber Housing Authority. The Weber Housing Authority works with all of the municipalities within Weber County except Ogden City who has their own housing authority. The Weber Housing Authority is a key resource in addressing the goals and strategies established within the Moderate Income Housing Plan.

A Ogden Valley Planning Commission (OVPC) held a joint work session on this subject with the Western Weber Planning

Commission on April 30, 2013. Copies of the draft plan were reviewed with the two planning commissions and a request was made for comments from the planning commissioners. On May 28, 2013 a further discussion was held clarifying the role of the OVPC. The main focus of the OVPC review is to consider the goals and implementation strategies. Appropriate further edits were made considering the comments from the OVPC members. The goals and strategies appear below:

Moderate Income Housing Goals:

Goal 1: Maintain the quality of existing single family housing stock and affordable homeownership opportunities.

- Implementation Strategies: facilitate the mix of new construction in keeping with neighborhood design standards and community sustainability; support the Weber Housing Authority emergency home repair program to assist in housing maintenance for moderate to low income home owners and encourage the development of urban housing development in established cities and towns in order to protect the agricultural lands and provide open space within the unincorporated areas of Weber County.

Goal 2: Maintain the quality of existing multi-family housing stock and affordable rental housing opportunities.

- Implementation Strategies: facilitate the mix of new construction in keeping with neighborhood design standards and community sustainability; encourage the development of urban housing development in established cities and towns in order to protect the agricultural lands and provide open space within the unincorporated areas of Weber County; develop cluster and node ordinances that will allow for mixed type of housing choices in compact areas consistent with the General Plan locations to preserve agricultural lands and open spaces and develop and adopt design standards for the nodes and mixed use communities.

Goal 3: Provide housing choices in neighborhoods that will allow residents to live in the same neighborhood for their entire life-cycle.

- Implementation Strategies: support the Weber Housing Authority's role in developing mixed use housing projects resulting in additional housing opportunities; where mixed use development occurs provide a variety of housing types; require resorts to comply with the Destination and Recreation Resort zone provisions to establish a seasonal workforce housing plan and provide appropriate numbers of housing for employees and investigate the potential for adding accessory dwelling units as an allowed use in the zoning ordinance.

Goal 4: Update and or put in place the necessary tools enabling the community to track the: 1) mix of existing housing stock, 2) the condition of existing housing stock, 3) delivery of existing housing education made available to the public, 4) the availability of local resources enabling single and multi – family rehabilitation and or new construction which facilitates access and affordability for special needs populations.

- Implementation Strategies: maintain land use inventory maps and analysis to track land use and housing and the transitioning of various land uses; establish a mechanism to track housing condition of the existing housing stock, including multi-family and single family residences and conduct a survey of how other communities are tracking their housing stock in order to determine the most efficient and effective way to track housing stock and condition in unincorporated Weber County.

Goal 5: Seek to monitor market data and barriers over time for all housing sectors to assure prioritization and implementation in keeping with moderate income housing plan compliance every two years.

- Implementation Strategy: conduct a housing barriers analysis as part of the two year update of the moderate income housing plan. Coordinate this effort with the Weber Housing Authority.

Legislative Decisions

Legislative Decisions: When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. Typically the criteria for recommending a legislative matter requires compatibility with the general plan and existing ordinances.

Conformance to the General Plan

The Ogden Valley General Plan was adopted in 1998 and the Moderate Income Housing Plan element was adopted in 2004. The following statements are important to consider in making a recommendation.

The existing Ogden Valley Moderate Income Housing Plan is in need of updating in order to comply with the HB 295 requirement to update it every two years.

The proposed plan is a collaborative effort with nine other municipalities. A data base was established for all of Weber County and future updates will rely on this baseline.

The Weber Housing Authority will be a key facilitator in implementing the plan. Once the plan is adopted the next step will be to be proactive in implementing the Plan.

Staff Recommendation

The Ogden Valley Planning Commission recommend that the Weber County Commission adopt the legislative amendment to the Ogden Valley General Plan; Moderate Income Housing Plan.

Exhibits

- A. Ogden Valley General Plan; Moderate Income Housing Plan *(See CD for plan)*
- B. Minutes of the April 30, 2013 and May 28, 2013 Ogden Valley Planning Commission Meetings
- C. County-wide Goals: Weber County Multi-Jurisdictional Planning Team

Minutes of the Combined Western Weber County Township Planning Commission and the Ogden Valley Township Planning Commission Work Session held April 30, 2013, in the Weber County Commission Chambers Break out room, commencing at 5:00 PM

Western Weber County Township Planning Commission

Present: Andrew Favero, Chair, Doug Hansen, Ryan Judkins, Brenda Meibos, Wayne Andreotti

Member(s) Excused: John Parke, Jannette Borklund

Ogden Valley Township Planning Commission

Present: Pen Hollist, Chair, Ann Miller, Laura Warburton, Kevin Parson, Dennis Montgomery, Greg Graves

Member(s) Excused: John Howell

Staff Present: Rob Scott, Director; Sherri Sillitoe, Secretary

Rob Scott introduced James Woods, BEBR University of Utah, and Marci Milligan, Lotus Community Development who have developed Weber County's Moderate Income Housing Plan, which has been an 18-month process.

Recognizing that the provision of affordable housing is essential to the stability of sustainable communities and as Weber County's affordable housing plan and that of its surrounding jurisdictions were in need of updating, it was determined that the greatest benefit could be derived in taking the following steps: 1) gathering essential economic and housing data collection, mapping and analysis tools; 2) soliciting and ensuring meaningful community input from key stakeholders; 3) creating and prioritizing inter-jurisdictional objectives, goals and outcomes with planning professionals upon which a collective vision for regional growth could be shaped and adopted by the public, while supporting individual cities in maintaining their unique identities; 4) seeking out community-based organizational partners, and financial resources critical to its eventual implementation; and finally 5) outlining a structure to assist in carrying the process forward. This line of approach is in keeping with fundamental aspects of HUD's Sustainable Communities Regional Planning Guidelines, HUD's Six Livability Principles, Utah's "Wasatch Choice for 2040" visioning processes and HB 295 legislative mandates.

Marci Milligan indicated that coming out of this process; she believes Weber County will rank higher when competing for funding sources. Weber County is ahead of the curve and they will want to make sure that they are staying on track. The state requires counties to look at a ten year review, but she tried to get them to look at a five year window.

The state of Utah led the nation in housing cost increases between 1992 and 1997, with home prices rising 70 percent over this period. According to the 2010 American Community Survey, 36 percent of Utah's homeowners with mortgages and 49 percent of the state's renters are paying more than 30 percent of their income towards housing expenses. HB 295 legislative mandates have caused cities to look at their jurisdiction. HB95 looks at incorporating the needs assessment in a community.

Marci Milligan explained that most jurisdictions do not look beyond their borders. HUD's Partnership for Sustainable Communities established the following as a foundation for interagency coordination: 1. Provide more transportation choices, 2. Promote equitable, affordable housing, 3. Enhance economic competitiveness, 4. Support existing communities. 5. Coordinate policies and leverage investment, and 6. Value communities and neighborhoods. Weber County is the first county to study and go through the collaborative process.

First, the Weber County Housing Needs Assessment listed on page 14 examines demographic and economic changes (2000-2010) in the county, nine cities and the unincorporated area of the county. This analysis shows changing concentrations of home owners and renters by race and ethnic group as well as the population and household growth and changes in the average size of households. All are important determinants of the need for affordable housing. Data is presented for each jurisdiction and compared to other study cities in the county. Comparative data are an essential component of the study and provide a context for cities to measure their changing demographic and economic status. Second, housing affordability is discussed in terms of changing housing prices as well as the stock of affordable rental housing, identifying the subsidized tax credit, public housing, HUD 202 projects, HUD project base units and Section 8 voucher use. Third, the gap of affordable housing is identified for each jurisdiction measuring the

supply of affordable housing units versus the demand or need. Actual numbers are derived by HUD from the Census numbers and supplied to Sustainable Communities grantees. Households are compared by income level to the supply of housing – both rental and owner-occupied units – affordable to each household income category resulting in a net surplus or deficit.

The following four main goals were set by the cross-jurisdictional team and also Weber County's jurisdictions wrote overlapping goals:

Goal 1: Seek to maintain the quality of existing single-family housing stock and affordable homeownership opportunities, by facilitating the mix of new construction and in-fill in keeping with neighborhood design standards and community sustainability.

Goal 2: Seek to maintain the overall quality of existing multi-family housing stock and affordable rental housing opportunities, by facilitating the mix of new construction and in-fill in keeping with neighborhood design standards and community sustainability.

Goal 3: Seek to update and/or put in place the necessary tools enabling the community to track the: 1) mix of existing housing stock, 2) the condition of existing housing stock, 3) delivery of existing housing education made available to the public, 4) the availability of local resources enabling single- and multi- family rehabilitation and/or new construction which facilitates access and affordability for special needs populations.

Goal 4: Seek to monitor market data and barriers over time for all housing sectors to assure prioritization and implementation in keeping with moderate income housing plan compliance every two years.

Weber County has a high degree of housing affordability. The median sales price of a detached single-family home in 2011 (through August) was \$142,000 while the median sales price of a condominium unit was \$111,000. There are approximately 90,000 housing units in the county and some are for sale.

Three quarters of all existing homes sold in 2011 were affordable to moderate income households. In Ogden City you have housing stock that is quite old and subject to maintenance. The quality of housing stock in older areas of the County is an issue. Another issue is foreclosures (about 3-3.5%); 2,000 to 2,500 homes where in foreclosure. There are plenty of short sales and REO's (real estate owned by the bank). REO prices from the beginning went from about 280 to \$250,000. There are too many homes under water. Because of the extreme affordability what does that mean in terms of housing quality? All the people moved affected by the downturn in the economy and that means very low income renters. About 30% of the area residents (20,000) are moderate income, and 50% area are low/moderate income which represents 25% of the households in the county and some of them are seniors who won't rent. Of the 20,000 households, the housing prices represent limited opportunities and affordability and that is mixed with the rental market. Of the rental stock, less than 10% of the market rate units (investor protected), affordability was in the home owners market.

Commissioner Warburton asked what is required of the county to have, and Marci Milligan replied that where are we now and where do they need to be, each section shows the gap (the number of units needed in each community). In the goals it will ask what is the condition of the housing stock. Commissioner Warburton asked how it is being handled in other counties. Ms. Milligan indicated that they are already doing some good management practices. Typically a planning commission requests a collection of data. The second step is to analyze that data and determine what course needs to be concentrated on.

James Woods indicated that they do not want to persist at the existing housing stock level and the goals of the plan will help to change that level.

Andrew Favero indicated that their goal as a Planning Commission is to make sure the plan meets the general plan guidelines. Marci Milligan indicated that goals three and four are aligned with the general plan guidelines.

Marci Milligan indicated that a lot of low income rental property is affected by schools. There are plenty of affordable housing units, rentals or homes in the Ogden Valley, there is no gap. In unincorporated Weber County, there is a gap of affordability. A summary of housing deficit or gap for each participating community can be found in the charts included in the study. A more detailed analysis by James Wood of these needs and other important data can be found in Section 2 and an update on supply and new development in Section 3. Housing for special needs populations is at capacity and additional units are needed, however the resources are simply not available for expansion of housing or services at this time. A more detailed analysis of the needs of a variety of special needs populations can be found in Section 3.

James Woods indicated that rental opportunity is an important consideration for the market; public/private partnerships are important and come into play.

Marci Milligan indicated that if they are building a healthy community, housing affordability goes to work at affordable prices. Tools are mentioned to look at what they might need going forward and what they should focus on over time.

Commissioner Judkins indicated that some cities in Weber County were not included in the study. Rob Scott indicated that there were some cities that chose not to participate and two (Uintah and Huntsville) were not required to participate. Nobody is mandating the study, they are only presenting the data.

Marci Milligan indicated that typically people bring in more housing stock and makes others want to bring theirs up to quality as well. Commissioner Miller stated that she believes it is part of their goal of large developments or resorts because they need housing for their support staff.

Marci Milligan indicated that the plan is in its draft stage and changes will need to be made. The numbers have been updated in the past 90 days.

After a brief discussion regarding the plan and what the charts reflect, Marci Milligan indicated that the members should review the plan and send any questions or suggestions to Rob Scott.

There being no further business, the meeting was adjourned at 6:40 PM

Respectfully Submitted,

Sherri Sillitoe, Secretary
Weber County Planning Commission

Minutes of the Ogden Valley Planning Commission Work Session held May 28, 2013, in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Pen Chair Hollist, Chair; Greg Graves; John Howell; Dennis Montgomery

Absent/Excused: Laura Warburton; Ann Miller; Kevin Parson

Staff Present: Rob Scott, Planning Director; Jim Gentry, Asst Planning Director; Sean Wilkinson, Planner; Bradley Ilragh, Intern; Chris Allred, Legal Counsel; Kary Serrano, Secretary

*Pledge of Allegiance

*Roll Call:

1. Minutes:

1.1. Approval of the April 23, 2013 meeting minutes

Chair Hollist declared the April 23, 2013 meeting minutes approved as written.

2. Consent Agenda:

2.1. UVN050213 Consideration and action on a request for a final approval of North Fork Ranch Subdivision (2 Lots) within the Agricultural Valley (AV-3) Zone located at approximately 5395 North Fork Road, Liberty Utah (Jesse Hammons, Applicant)

2.2. UVR030209 Consideration and action on a request for approval of minor amendments to the Retreat Subdivision located at approximately 5334 E Elkhorn Drive, Eden (Capon Capital, LLC, Applicant; John Lewis, Agent)

2.3. CUP 2012-13 Consideration and action on a minor (landscape and screening) amendment to a previously approved Conditional Use Permit site plan related to the operation of a recreation center and day care located at 4786 E & 2600 N in Eden. (Ray Bowden and Chandra Borong/High Altitude Kids, Applicants)

2.4. Contract 2011-38 Consideration and action on a request to extend Zoning Development Agreement that was previously approved as part of Ordinance 2008-17 and amend as part of Contracts 2010-100 and 2011-38 (Horseshoe LLC, Applicant; Delaney Stephens, Agent)

MOTION: Commissioner Graves moved to approve consent agenda items UVN050213, UVR030209, CUP2012-13, and CONTRACT2011-38 as read. Commissioner Howell seconded.

VOTE: A vote was taken with all members present voting aye. Motion Carried (4-0)

3. Petitions, Applications and Public Hearings:

3.1. Administrative Items

a. New Business:

1. CUP 2013-13 Consideration and action on an administrative application for a Conditional Use for a public utility substation (cellular site) located at Hidden Lake Lodge Powder Mountain within the Commercial Valley Resort Recreation (CVR-1) (Summit Mountain Holding Group, Applicant; Jared White, Agent)

Jim Gentry reviewed the staff report and said with the establishment of appropriate conditions as determined by the Planning Commission, the proposal will not negatively impact any of the goals and policies of the General Plan. Conditions for approval are requirements of the Weber County Engineering Division, Building Inspection Division, and Planning Division. Staff recommends approval of this conditional use application, subject to the conditions of approval and staff suggestions in the staff report.

Chair Hollist asked if anything was said by the applicant regarding color and Jim Gentry replied that they are talking brown.

Commissioner Graves asked if the pole itself is galvanized steel. Jim Gentry replied that is correct.

Commissioner Howell asked if the applicant was present and Jim Gentry replied no.

MOTION: Commissioner Howell moved to approve CUP 2013-13 with the cell towers to be constructed at Hidden Lake Lodge Powder Mountain project on 80 acres in a Commercial Valley Resort-1 (CVR-1) Zone and that this location be co-locatable for other cellular providers. The motion is subject to the conditions of approval of

the Weber County Engineering Division, Building Inspection Division, and Planning Division. Commissioner Graves seconded.

DISCUSSION: Commissioner Graves said to make a point that this is proposed for up to three years and then it will be relocated and this is difficult for justification for not requiring landscaping and fencing since this is a temporary location. Also, it's a galvanized pole that will weather, it will disappear a little bit, and not stand out. Chair Hollist said that they have come to a conclusion that they would rather have it galvanized and weathered because it does in fact blend in. Commissioner Howell said that down the line when Powder Mountain wants to move to another location, that application would have to come before us anyway. Commissioner Howell asked what the height of towers that requires a license is. Jared White, a representative of AT&T replied that it varies depending on the FAA requirements. When they build a tower they submit an FAA registration and depending on its proximity to the airport and flight paths, they tell us if that has to be lit or not.

VOTE: A vote was taken with all members present voting aye. (Motion Carried) 4-0

3.2. Legislative Items

a. New Business

1. Moderate Income Housing Plan Discussion

Robert Scott said they have provided a complete copy of over 200 pages of the information associated with the Housing Data and Economic Data within the county; it is with very significant information. He requested that this Planning Commission review the plan and make any comments that they would like considered. The next step would be to make those edits and proceed to a public hearing before both Planning Commissions. Then they would a recommendation for the County Commission's for adoption. Mr. Scott shared the Goals and Strategies that have been developed in this plan.

Chair Hollist said for the record, in Chicago, Moderate and Low Income Housing was a substantial issue; and the Federal Program coupled with the state and local programs decided to build a facility known as Cabrini Green. As it was being conceived, architected, and built this was to be the ultimate in humanitarian treatment of those who are poor and those that do not have adequate housing. The buildings were beautiful, well architected, and constructed like battleships, and they were put in a park like atmosphere; the entire communities were very pleased with this landmark project. Within two years, Cabrini Green was the major war zone in Chicago. All the landscaping had been derogated and the buildings were defaced with paint. It was an absolute eyesore to the extent that you did not drive through that part of Chicago going from point A to point B because you would be taking a personal risk.

The point in all of this is that as they implement a moderate and low income housing policy, they should have in mind the lessons learned from Cabrini Green. The plan that was submitted to us talked about single family and multiple family housing units; he believes there is danger, particularly in multiple housing unit areas of developing a miniature Cabrini Green; where the people who live there place their neighbors, their immediate community, and those of us who drive through there at risk. Simply because of the character of people who may come to inhabit those areas. Care must be taken. The plan was absolutely devoid of any mention of security associated with those types of facilities. If he had his choice to provide that type of housing, it would be through some agency or group like Habitats for Humanity, where housing is built personally by volunteers including the person who would benefit by that. He would advocate that they develop moderate and low income housing in non-traditional ways, and they don't just throw money at it; instead use our personal labor, our personal association with the new home owner, and recommend that they be single family housing units developed or renovated in existing communities.

Commissioner Graves said that he can appreciate what the Chair is trying to not have us be stuck with. They get that type of thing when they combine the low and moderate income housing all in one place together; as they spread it out they don't have the same problem. It is appropriate and probably very necessary, to have some type of multi-family housing types available simply because it brings the price down where people can actually deal with it. There are numerous ways to have multi-family housing that isn't a big single project. It could be very easily inserted into a neighborhood and be compatible with the neighborhood's existing character and still provide a benefit for the families that may use that. There needs to be multi-type family house; but not located

necessarily in one place as a project, because when you bring that entire element to one place, that's what develops into a war zone. When you spread that out in a neighborhood, you are less likely to have that type of issue.

Steve Clark, resident of Eden, said this is one of the more important topics of Planning. He is intrigued with the goals and implementation strategies. The last time there was a discussion on Moderate Income Housing in Weber County it had a formula where they had to specify a particular number of units for the Ogden Valley that met the financial criteria of being moderate income housing. He did not see that target number. Chair Hollist replied said that it was in the 213 page report. Robert Scott said that Mr. Clarke would be receiving it.

Chair Hollist said there will be a public hearing yet to come on this. Robert Scott added that once they have the draft report and have taken the comments from both Planning Commissions, the report will be refined, and put out for public comment and then for public hearing.

Commissioner Graves said the he was somewhat familiar with this language because of the work that he does and is not as confusing to him. When you are talking about goals and general strategies, terms tend to be vaguer than they would like. After having read the entire report you get a feel of what they are talking about and at least put you in a position to ask more specific questions in terms of getting some clarification.

Commissioner Howell asked if the county has a formula that says how many units per population required in the Ogden Valley. Rob Scott replied no.

Chair Hollist said the reason that Ogden Valley is not part of the Moderate Incoming Housing Plan is due to the requirement for housing is to be adjacent to or have reasonable public transportation so that it increases their employment opportunities; just by nature of where we are, it would be limited. Commissioner Graves added one thing they need to pay some attention to is the fact that it's more expensive to live up there and young families have a difficult time being able to stay there. If you want the valley to have some vibrancy and meet some of the other general goals for the valley, they need young families there. Some of the important resources of our community is the youth; it's been dwindling throughout the years, and it's frustrating to see.

Chair Hollist said when they approved the conversion of Red Moose Lodge from a hotel to a senior care facility, it was a good move, and it's a good facility. People are putting their aging parents there and are well satisfied with the care they receive; it is a step toward a part of what this plan needs to be.

4. Public Comments for Items not on the Agenda:

Steve Clarke, GEM Committee Representative, asked for an update on the Growth Management Plan for the Ogden Valley. Chair Hollist replied that they as the Ogden Valley Planning Commission need to meet with the Weber County Commissioners to align their goals and objectives. Their first priority is with the Ogden Valley Development Plan and that may or may not be the priority of the Weber County Commission. They felt that one or a series of meetings would be appropriate to align those goals, and make sure that those who appointed us know what their priorities are.

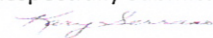
5. Remarks from Planning Commissioners: No comments were made by the Planning Commission

6. Report from the Planning Director: Robert Scott said the Congress for New Urbanism national conference is in Salt Lake starting May 29-Jun 1, and he hopes that it will be a positive experience for both groups. Secondly in terms of making a change to the way they conduct their votes, he asked if the board members would like staff to discuss the issue in the upcoming agenda so that they can consider making that change. Chair Hollist replied yes.

7. Remarks/Questions from the County Attorney: No comments were made from the County Attorney

8. Adjourn: The meeting was adjourned at 5:55 p.m.

Respectfully Submitted,


Kary Serrano, Secretary,
Weber County Planning

County-wide Goals: Weber County Multi-Jurisdictional Planning Team

- **Collaboration of Housing Goals:** continue to have collaboration between Weber County and the cities within the county to accomplish common housing needs and goals.
- **Single Family Housing Goals:** preserve existing housing stock and conduct infill development as a primary focus; work with local jurisdictions to develop new outreach materials for rehabilitation; explore partnerships to leverage available resources to expand program impact via Home Depot 203K, financial institutions, foundations and municipal funding strategies and create a Volunteer Service Programs; and map future infill and re-use sites.
- **Multi-Family Housing Goals:** Promote Fair Share Housing and work on geographic de-concentration and project set asides to address future demand/needs for housing affordable to households at 30 percent of AMI and seek to collectively support applications and provide funding for priority community-wide housing development activities to meet future market demand and identify priority projects for next one to five years for households at 40 to 80 percent of AMI.
- **Miscellaneous Additional Goals:** Utilize collaboration and sustainability as a driving implementation force; conduct housing dispersion, commercial nodes and land use mapping for Master Planning analysis; use life-cycle philosophy; conduct roof-top surveys; establish educational resources in English and Spanish hosted centrally by Weber County Housing Authority; use a “put a face on it” strategy as a community education and marketing campaign; jointly sponsor education initiatives through local municipal councils; consider implementation of Good Landlord Program and seek to monitor market data and barriers over time for all housing sectors to assure prioritization and implementation in keeping with moderate income housing plan compliance every two years.



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

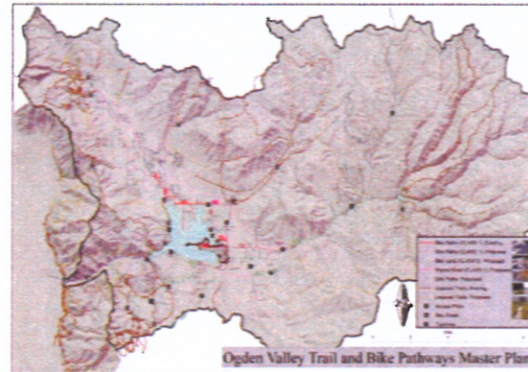
Application Information

Application Request: Consideration of a legislative amendment to the Ogden Valley General Plan; Ogden Valley Pathway Master Plan and Master Plan Map.

Agenda Date: Tuesday, July 30, 2013

Applicant: Weber County Planning Division

File Number: 2013-03 Ogden Valley Pathway Master Plan



Staff Information

Report Presenter: Robert Scott
rscott@co.weber.ut.us
801-399-8768

Report Reviewer: SM

Background

The purpose of this legislative Plan amendment is to update the Ogden Valley Pathway Master Plan and Map so they are consistent with the Weber County Cooperative Pathways Master Plan. The following chronology identifies how this project has moved forward.

Some of the highlights of the Plan are as follows:

The Plan has been reformatted to be consistent with current policies and procedures for the review of pathways either those included in new developments or for those being constructed consistent with the Plan, e.g., by Weber County or Weber Pathways. An appendix has been added identifying the list of proposed pathways in the Ogden Valley.

Since the draft Plan was written the Weber Trails Committee has endorsed the Weber County Coordinated Trail Signage standards. These are adopted by reference.

A revised section on funding options for developing pathways is included showing opportunities from federal, state, local government sources, and private sources. Pathway types and standards have been revised and the Map updated to reflect this information.

Landowner relations are a critical part of developing the trail network. It is reinforced that the pathway locations are not property specific. As each pathway is considered for development the specific design will look at where the actual location of the pathway will be located.

Weber County has two parks in the Ogden Valley, i.e., North Fork Park and Weber Memorial Park. The scale of the Plan Map does not allow for the detail of the pathways in these facilities to be shown.

Chronology

On June 25, 2002 the Weber County Commission amended the Ogden Valley General Plan by adopting the Ogden Valley Pathway Master Plan.

In January 2009, Weber County Planning and Weber Pathways embarked on a project to establish a county wide pathway plan. This effort included the collaboration of all 15 municipalities within Weber County, the county, federal, state, and regional agencies. The end result was a document entitled the "Weber County Cooperative Pathways Master Plan" that included trail and bike maps for the entire county. In June 2010 the Weber Area Council of Governments endorsed the Plan. It was left to each entity to adopt the Plan as part of their General Plan.

On November 2, 2010 the Ogden Valley Planning Commission (OVPC) conducted a work session on how to implement the

Weber County Cooperative Pathways Master Plan.

On March 1, 2011 during an OVPC work session a further discussion was held on how to go about updating the Pathway Master Plan. It was decided to recommend to the County Commission that an ad hoc committee be formed to work on this project.

On July 26, 2011 the Weber County Commission established a Trails Ad Hoc Committee to review the Pathways Element of the Ogden Valley General Plan and Pathways ordinance.

On August 25, 2011 the first Trails Ad Hoc Committee meeting was held. The purpose of the Ad Hoc Committee was explained and a review of the Trails Plan and Ordinance was done.

On October 3, 2011 the second Trails Ad Hoc Committee meeting was held. A draft of edits to the existing Plan was done.

On October 31, 2011 the third Trails Ad Hoc Committee meeting was held to review the trails ordinance.

On April 3, 2012 the Ogden Valley Planning Commission reviewed the recommendations of the Ad Hoc Committee to amend the Ogden Valley Pathway Master Plan. Various suggestions were made and subsequently edits were accomplished. The final draft was reviewed by the Weber Pathways staff.

A public hearing was held before the Ogden Valley Planning Commission on October 30, 2012. The OVPC tabled action on the Plan and requested that the Plan Map be brought forward with the draft Plan.

Spring, 2013 edits were made to the Ogden Valley Pathway Plan Map consistent with the recommended trail types. The Map was reviewed by Weber Pathways. On June 19, 2013 the Weber Trails Committee reviewed the Map.

June 20, 2013, the draft Plan and Map were put on the Weber Planning Division website for public review.

July 30, 2013, the Ogden Valley Planning Commission will hold a public hearing to receive input on the Plan and Map prior to making a recommendation to the Weber County Commission.

Legislative Decisions

Legislative Decisions: When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. Typically the criteria for recommending in a legislative matter require compatibility with the general plan and existing ordinances.

Conformance to the General Plan

The Ogden Valley Pathway Master Plan was adopted in 2002. The following statements are important in this consideration and are reflective of the following summary.

The existing Ogden Valley Pathway Master Plan is in need of updating in order to be consistent with the Weber County Cooperative Pathways Master Plan.

The proposed map has been updated in order to be consistent with the Weber County Cooperative Pathways Master Plan.

The legislative amendment still recognizes that the need for pathways has benefits to the overall transportation network in the Ogden Valley, e.g., the connections to amenities such as recreational amenities and commercial areas, protects the quality of life for residents in the Ogden Valley, is a benefit to the health of residents, and makes neighborhoods safer with more eyes on neighborhoods.

Staff Recommendation

That the Ogden Valley Planning Commission recommend that the Weber County Commission adopt the legislative amendment to the Ogden Valley Pathway Master Plan.

Exhibits

- A. Ogden Valley Pathway Master Plan
- B. Ogden Valley Pathway Master Plan Map
- C. Minutes of the November 2, 2010, March 1, 2011, April 3, 2012, October 30, 2012 Ogden Valley Planning Commission Meetings



Ogden Valley Pathway Master Plan (Draft)

December 5, 2012

The Ogden Valley Pathway Master Plan

The Vision

The Ogden Valley Pathway Master Plan was developed in 2001 by Weber Pathways, a non-profit organization whose mission is to promote, plan, and protect non-motorized public pathways in Weber County. The plan that was developed represented a grass roots community effort and was directed by a steering committee consisting mostly of local volunteers, who adopted the following vision statement:

We believe that non-motorized pathways in Ogden Valley help to maintain and enhance its beauty, pastoral atmosphere, rural lifestyle, outdoor recreational opportunities, and sense of community. Therefore, we envision a network of pathways linking all of Ogden Valley and enabling residents, visitors, and their children to travel in safety on foot, bicycle, horseback, or skis to a wide variety of destinations throughout the valley.

Ogden Valley

Ogden Valley is nestled on the eastern side of the Wasatch Mountains, 10 miles east of Ogden and 40 miles north of Salt Lake City, consisting of open spaces, mountains, wetlands, rivers and a reservoir. People here can hike, bike, or ride horseback through green fields and groves, sagebrush hills, and the remnants of a pastoral landscape that is becoming rare in northern Utah. The valley has one incorporated town, Huntsville, and four unincorporated communities: East Huntsville, Eden, Liberty, and Nordic Valley. It is home to approximately 7,000 permanent residents and 700 seasonal residents. Ogden Valley was explored in the early 1800s by fur trappers, who created some of the historical trail routes that are still used today. It was then settled by Mormon pioneers in the mid-1800s. Its historical sites include the oldest saloon in Utah and the birthplace of David O. McKay, former president of the Church of Jesus Christ of Latter-day Saints. The first free public school in Utah was located in Ogden Valley.

Why Do We Need a Pathway Master Plan?

Ogden Valley has recently experienced its most rapid period of growth since the pioneers first settled here. This growth is changing the valley and threatens to put an end to the rural lifestyle that residents have enjoyed. Highways where one could once ride a horse or bicycle have now become unsafe due to larger volumes of traffic. Without appropriate standards, development may cut off access to some of the open space, public lands and recreational opportunities in the valley. Growth must be planned for, in order to achieve quality neighborhoods. The Ogden Valley General Plan only addressed motorized transportation until the 2001 Ogden Valley Pathway Master Plan was adopted.

While the automobile will certainly remain the primary mode of transportation here, many residents want other choices as well. They want to be able to walk to the post office or the grocery store, or to take their horses on a trail without having to drive them many miles to a trailhead; they would like the opportunity to live in a walkable community. It is for these reasons that the Ogden Valley Pathway Master Plan was adopted.

In early 2009, the Weber County Planning Division along with Weber Pathways established a project to create a countywide pathways master plan. The Weber Pathways Board of Directors, the Weber County Commission, and the Weber Area Council of Governments initiated the project. A representative from each municipality and various entities (U.S. Forest Service, Utah Department of Transportation, etc.) was invited to attend monthly meetings of the newly formed pathways committee. The existing pathways/trails/bike plan master plans from each municipality and entity were gathered and combined into one geographic information system database. From this database, a countywide trails and bicycle route map was developed.

This update to the Ogden Valley Pathway Master Plan will integrate the map from the Weber County Cooperative Pathways Master Plan.

The Benefits of Pathways

A network of non-motorized pathways in Ogden Valley will facilitate the safe travel of children, local citizens, and visitors. The Master Plan illustrates pathway connections to residential areas, schools, libraries, recreation facilities, and commercial areas. It also connects amenities such as community parks, National Forests, open spaces, and existing trailheads.

The pathways in this plan will also help protect a way of life that Valley residents have traditionally enjoyed, by identifying that access to water, wilderness, historic trails, and the open space that should be preserved. The Master Plan has been designed to encourage the preservation of historic trails, to promote the creation of pathways that celebrate the unique character of Ogden

1. The first is a proposed pathway that is shown on the Proposed Pathways Map as passing through or near the land in question. In this case, the County should determine whether a pathway corridor must be set aside and what the exact route and width of the corridor must be. Land set aside in this manner should count towards the provision of open space for clustering and other requirements.
2. The second is a local pathway system that is not shown on the Map but serves a particular development and is designed to tie into the general pathway network. To accommodate the design and construction of such a system, the County should require pathway routes in each development consistent with the County ordinances and policies regarding the deferral of sidewalks. These routes will consist of shared roadways, bike paths, side paths, or any appropriate combination thereof. Unpaved trails may be used to link a development to Forest Service or other recreational land. Analysis is made during the approval process as to which pathway types are most appropriate and where they should be located. Emphasis should be placed on safety, attractiveness, and design that is tailored to the local topography and conditions, rather than trying to stamp the same “cookie-cutter” pattern on every development.

Others will be constructed as proactive measures are taken by the County with the involvement of local residents and Weber Pathways. The Proposed Pathways Map shows the network that is to be created, however it is not intended to define the exact route of individual pathways. Further research and negotiations on property ownership and other issues will be needed to determine the final alignments, which should be established in accordance with the guidelines in this Plan. Wherever possible, pathways should be located in corridors that have been or will be preserved as natural or greenspace, thus creating a “greenway” and not merely a sidewalk or alley. The pathway system should conform to national standards for safety while reflecting the unique character of Ogden Valley. Pathways should be convenient, aesthetically pleasing, and beneficial to the general quality of life here. A further goal of implementation will be to connect pathways to trails on Forest Service, Division of Wildlife Resources, County Parks, and other applicable public lands.

The County should also work in cooperation with Weber Pathways and other interested groups, as appropriate, to persuade the Utah Department of Transportation (UDOT) to incorporate bike lanes, as described below, into the design of both of its highways in the Valley at such time as they may be reconstructed or improved. The County, in cooperation with Weber Pathways or other non-profit organizations, should also work with private landowners to acquire trail easements wherever appropriate.

Funding

Development in the Valley will continue to occur, and securing pathway corridors must remain a priority. Furthermore, although volunteer efforts are important, professionally designed and constructed pathways cannot be built through volunteer efforts alone. Therefore all of the following potential funding sources should be considered:

- **Federal funds.** There are several sources of Federal money that can be used for pathway construction, including Transportation Enhancement Funds, Congestion Mitigation Air Quality Funds, Scenic Byway Funds, National Recreational Trails Funds, and the Land and Water Conservation Fund. As a governmental agency, the County is eligible to apply for these funds, which are administered through the State of Utah.
- **State funds.** The State of Utah sometimes makes appropriations to its Non-Motorized Trail Fund and Riverway Enhancement Fund, which are administered by the Division of Parks and Recreation. Grants from these funds, which require a 50% match, are available on a competitive basis to governmental agencies such as Weber County. Utah State Parks also administers the Utah State Trails Fund.
- **Local funds.** Weber County administers a Recreation, Arts, Museums, and Parks (RAMP) tax. RAMP costs tax payers one penny for every \$10 purchase and raises approximately \$3 million annually. RAMP provides funds for walking, biking, equestrian, cross-country trails and pathways and facilities. For full funding criteria see the following link <http://www.co.weber.ut.us/ramp/funding.htm>.
- **Trail Impact Fees.** The Impact Fees Act allows counties and towns to charge fees to mitigate the impacts of new development on “parks, recreation facilities, open space and trails” [Utah Code 11-36-102 (11) (f)] as long as a reasonable relationship exists between the fees imposed on development and the needs generated by new development. Fees have been calculated for both Unincorporated Western Weber County and Unincorporated Ogden Valley as capital facility needs are expected to differ somewhat between these two unincorporated areas of Weber County.
- **Private grants and donations.** The experience of Weber Pathways and other trail organizations has shown that there is considerable community interest in trails, and many individuals have made donations to Weber Pathways to help create pathways in the Valley. In addition, there are many private grant making foundations to which non-profit organizations like Weber Pathways are eligible to apply. Some of these foundations are unique to Utah; others are national or regional in scope and listed on sites such as www.sonoran.org. Weber Pathways has collaborated with the County on other trails projects and will continue to work as a County partner. Other organizations such as the Great Western Trail Association,

required by law. Proposed bike lanes are not shown as on the Map, because they are not separate pathways, but they should form an integral part of the Valley's non-motorized transportation system. Experienced bicyclists headed for a particular destination want to get there as quickly and directly as possible, and the roadway system often provides the most direct routes between popular destinations.

3. **Class III Share the Road Bike Routes.** These routes are designed to be shared with pedestrians and or motor vehicle traffic. There are two subcategories of these routes. The first subcategory is meant for roads that connect to other roads and are signed shared roadways. The second subcategory is simply minor or dead-end streets, where it is safe to walk or bike in the roadway and no separate pathway is really needed. The shared roadway concept can be very practical in certain situations, eliminating the need to maintain a separate path. It is appropriate for local roads, loop roads and cul-de-sacs that are no more than 1,000 feet long and serve no more than 25 dwelling units, or are otherwise so designed as to exclude through traffic and prevent high motor vehicle speeds. They are not appropriate for highways or commercial areas.

The County by adopting these bike path types Weber County is establishing a bikeway system consisting of bike paths, bike lanes, bike routes or a combination of any of these. The bikeways should be signed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). Weber County hereby adopts the Weber County Coordinated Trail Signage standards for pathways. (See Appendix B). Because of safety concerns, side paths and sidewalks must not be designated as bikeways. Pathways will be ADA accessible where the pathway type and topography will allow it.

All County roads in the Valley with an actual or expected average daily traffic count (ADT) of 1,000 or more should, when undergoing reconstruction or alteration, be constructed with bike lanes, as per the adopted County standard roadway section. These bike lanes are normally at least 5 feet wide, but when it comes to bicycle and pedestrian safety, even marginal improvements are better than none. Therefore where terrain, obstacles, or other considerations make it impossible to construct bike lanes to the full width specified here, the County should still widen highway shoulders as much as practical.

The design of grates for stormwater catch basins is also critical to bicycle safety on all roadways. Grates with parallel bars pose a special danger to bicyclists, whose tires can easily slip down between the bars. Furthermore, other types of grates have been designed that effectively carry away stormwater and are also safe for bicycles. Therefore the County should amend its public works standards to replace the currently specified catch basin grate with a "bicycle-safe" grate wherever practical.

Trail Categories. The trail categories are consistent with the US Forest Service trail categories. For representation purposes the trail categories have been combined to two categories, i.e. unpaved trails and side paths.

4. **Unpaved trails.** Typically located in parks or undeveloped areas, these pathways are suitable for equestrians, hikers, walkers, joggers, and mountain bikes. They should normally be at least 4 feet wide, except in the back country, where they should conform to US Forest Service standard trail specifications for desired and expected user types. They are to be constructed of native material or surfaced with road base when necessary to prevent erosion or muddiness. Where they parallel a roadway, trails should where possible be separated from the roadway by a barrier or by at least 10 feet of open space or landscaping. The County has adopted the typical unpaved trail section shown in the Weber County Zoning Ordinance. These trails consist of the US Forest Service Class 1, 2, and 3 trails.

Unpaved trails also host temporary seasonal trails, e.g., there are Nordic trails in winter time that only exist in winter.

5. **Side paths.** These paths are designed to run alongside a roadway and are intended primarily for pedestrian use. They may be paved with concrete, asphalt, road base, or crushed rock. They should normally be five feet wide, which is the minimum needed for two pedestrians to pass comfortably but narrow enough to discourage vehicular use. They may be wider in commercial areas or where pedestrian traffic is heavy. Because of heavy snow accumulations in the Valley and the need to pile up snow at the edges of roadways, and because the pathway experience is enhanced the farther it is from automobile traffic, side paths need to be located at least 10 feet from the roadway wherever possible, separated from it by open space or landscaping. The County has adopted the standard roadway section with side path shown in the Weber County Zoning Ordinance. These trails consist of the US Forest Service Class 4 and 5 trails.

Utilities and Pathways

Because various construction activities, especially the digging and filling of utility trenches, can affect pathways, the County Roads ordinance requires utility, construction, and excavation companies to repair any pathway torn up for utility work, restoring the pathway to its original condition or better. The installation of utilities in trail corridors is generally encouraged, except where it would cause undue environmental damage or permanently impair the trail use. Fees collected for trail corridor use by utilities should be reserved for trail building and maintenance rather than going into the County's general fund.

Trespassing and liability are sometimes concerns of property owners adjacent to trails. While trespassing from pathways, just like trespassing from roadways, cannot absolutely be prevented, signs will be posted at all trailheads reminding users to "Please respect private property by staying on the trail." Access will not be allowed or provided from a pathway onto private property without the permission of the landowner. However, if landowners next to a pathway want to create their own access paths to connect to the pathway, they should be allowed and encouraged to do so.

The question of liability cannot be solved by this or any other master plan; however, it should be emphasized that the potential liability incurred by property next to a pathway is no greater than that experienced next to a roadway. Furthermore, Utah has adopted a Limitation of Landowner Liability—Public Recreation Act (Section 57-14-1 et seq.). This act specifically protects landowners who allow the public onto their property free of charge for recreational purposes.

Environmentally Sensitive Areas

The presence of wildlife is part of the heritage and charm of the Valley, and the protection of wildlife habitat and environmentally sensitive areas is an important value for many Valley residents. The Utah Division of Wildlife Resources (DWR) has identified three types of critical wildlife habitat in the Ogden Valley area:

1. Winter range, primarily for deer and elk, in the Middle Fork-Monastery area.
2. The Class 1 fishery in Ogden Canyon.
3. Small areas of wetlands and Class 3 fisheries in the Valley.

The impacts of pathways on wildlife can be positive or negative and are not always precisely known. They vary according to the situation and the species in question. The benefits to the community of well-designed pathways usually outweigh their impacts on wildlife, but in order to minimize any negative effect on critical habitat, the following recommendations should be implemented:

1. Pathways on public land in the critical winter range area shall be closed seasonally during such dates as recommended by the DWR. Locked gates, with signage explaining the importance of the habitat and the reason for the closure, shall be installed at the trailheads or other appropriate locations.
2. Any pathway near a stream, in Ogden Canyon or elsewhere, shall be constructed so as not to adversely affect the water quality or riparian vegetation of the stream or to impair the natural processes of the stream, such as spring flooding.
3. When any pathway is planned for a designated wetland area, the Corps of Engineers shall be contacted for a 404 permit.
4. Where possible, pathways shall not be routed through the middle of large undisturbed areas of natural vegetation, but shall be located on the edge of such areas or in places that have already been disturbed by human activities.
5. Pathways shall not be routed continuously along stream banks, depriving wildlife of important undisturbed habitat, but they shall provide a reasonable number of access points to the stream, so that the public will not be tempted to create unauthorized or "social" trails to reach the water.
6. Where appropriate, pathways shall be used to improve habitat through the consolidation of many social trails into one well-designed pathway. The social trails should be re-vegetated with species that are native to the Valley or beneficial to wildlife.
7. Dogs shall abide by County leash laws.

County Parks

Weber County owns two parks in the Ogden Valley, the North Fork Park and the Weber Memorial Park. The scale of the Master Plan Map does not allow for all of the trails in North Fork Park to be shown on the Map, however, this Plan has identified the importance of connecting all of the trails within the County Parks to trails adjacent to them. The Weber County Parks Department is working toward development of a North Fork Park Master Plan that will show all essential activity centers including trails. There are seasonal trails that are created in North Fork Park during wintertime. Their location may vary from year to year and are also not shown on the Map. Contact with the Weber County Parks Department will aid individuals in getting the details on these trails.

14. Wolf Creek Pathway. * This pathway is needed to provide Wolf Creek residents and visitors with a safe way to reach the shops in Eden without having to use their cars. It would ideally be built in a separate corridor, but it is tentatively planned for the highway right-of-way for the sake of convenience.
15. East Eden Pathway. * This pathway would connect the Eden Trail with the Pineview Loop Pathway and the Middle Fork area. It is intended to help complete the continuity of the Valley wide pathway network and provide residents and visitors with a safe and convenient connection to the shops and other attractions in the Eden area.
16. Middle Fork Pathway. * The purpose of this pathway is to connect the existing Middle Fork trailhead area to the reservoir and the Pineview Loop Pathway. The exact route has not been determined, but it may follow a stream course, roadway, or other corridor.
17. Ogden Valley Canal Pathway. * This pathway would follow the Ogden Valley Canal, either on its banks or generally running parallel to it on an alignment respectful of landowner concerns. It will form a very important component in the pathway network connecting the Valley from northwest to southeast.
18. Power Line Trail Connection. This trail extension will connect the existing Power Line Trail with the Wolf Creek development.
19. Wolf Creek—Middle Fork Trail. * This trail, popular with equestrians, would connect the trailhead being proposed at the Wolf Creek resort with the Middle Fork trail complex. Like other trails in the Wildlife Management Area, it would be closed in the winter, with a gate near the eastern end of the Wolf Creek developed area.
20. Geertsen Canyon Trail Connection. This extension of the north branch of the Geertsen Canyon Trail would connect to the trail network on top of the mountain.
21. La Plata Ridge Road. This trail would provide access from Powder Mountain to the mountainous areas on the east.
22. La Plata Road and Trail. The old ridge top road would be extended southward as a trail connecting to the Geertsen Canyon—Shupe Canyon loop.
23. Northern Connection Trail. This trail, whose exact route is yet to be determined, would provide a trail connection from the La Plata area to Beaver Creek and the eastern portions of the County.
24. South Fork—Beaver Creek Pathway. This pathway would parallel Highway 39, either in the existing right-of-way or in a separate corridor, or a combination of both, to provide safe non-motorized access to the South Fork campgrounds, the Causey area, and the lower part of Monte Cristo.
25. Pine Creek Road. This trail, to be designated in consultation with the private landowners in the area, would connect Brown's Hole to the South Fork—Beaver Creek Pathway.
26. Causey Trail. This trail would provide a safe connection from the South Fork—Beaver Creek Pathway to Causey Reservoir.
27. Skull Crack Canyon Road. This trail would form part of a grand loop in the southeastern part of the County and would be opened in cooperation with the private landowners in the area.
28. South Ridgeline Trail. A continuation of the trail loop as described under "Skull Crack Canyon Road."
29. Bennett Creek Loop Trail. This loop, which circles from the Monastery area to South Fork, already sees some trail use and an official designation should be negotiated with local landowners.
30. South Fork Pathway. This pathway would extend east and west through the South Fork area as a safe alternative to the busy stretch of Highway 39. Ideally, it would be located in a separate corridor, but it may be built in an existing road right-of-way.
31. East Huntsville Pathway. This pathway would branch off the South Fork Pathway to provide a more direct connection to parts of Huntsville.
32. South Fork—Monastery Pathway. Another short connecting link, this pathway would help complete a safe network of pathways in the South Fork area.
33. South Bench Canal Pathway. * This pathway would follow the South Bench Canal, running from the Monastery area west to the Old Trappers Loop Road and the Jefferson Hunt Campground area. It could be built in conjunction with alterations that have been proposed for the canal.
34. North Fork Park Pathways. Pathways within North Fork Park will be identified as part of the North Fork Park Master Plan. Connections will be made to adjoining trails. There are seasonal trails in North Fork Park that are temporary in nature and are established during wintertime.
35. Weber Memorial Park Pathways. Pathways within Weber Memorial Park will be identified as part of the Weber Memorial Park Master Plan. Connections will be made to adjoining trails.

Minutes of the Ogden Valley Township Planning Commission Regular Meeting and Work Session held November 02, 2010, in the Weber County Commission Break-Out Rooms, commencing at 5:00 p.m.

Roll Call.

Present: Greg Graves, Chair, Gary Allen, John Howell, Kevin Parson, William Siegel, Laura Warburton

Excused: Jim Banks

Staff Present: Rob Scott- Director, Jim Gentry, Assistant Director, Sean Wilkinson, Planner, Ben Hatfield, Planner, Scott Mendoza, Monette Hurtado, Legal Counsel, Sherri Sillitoe, Secretary

1. County Cooperative Pathways Master Plan Implementation

Rob Scott gave a brief introduction and indicated that that he as a county he views the goal is to do things collaboratively with other municipalities where possible. There are varying degrees of interest as well as commitment to developing trails in the county. It has been an amazing opportunity to work with Weber Pathways in developing a pathways master plan. The purpose of this discussion is to determine where they go from here.

Justin Morris indicated that the process began approximately two years ago to develop an overall county pathways master plan map. A pathways committee was formed after WACOG's endorsements with representatives from each municipality, Weber Pathways, U.S. Forest Service, National Parks Service, UDOT, UTA, etc. Each municipality sent their general plan drawings to him and he compiled the information into one map. Over the course of several months, that map was edited, connections were tweaked and for the most part, everything lined up. The plan was ultimately endorsed by the adhoc committee that was formed. In June 2010, the plan and the map was taken to WACOG and endorsed. Tonight's discussion is to determine how to implement that plan. Some of the cities are implementing the map as part of their general plan and the model ordinance.

The committee will keep meeting to update the maps. One map is the bicycle routes (Class 2 and Class 3). The other map is the proposed and existing pathways.

Commissioner Howell indicated that he believes the biggest obstacle is funding.

Rob Scott indicated that the plan has two parts; the plan and the map. The goal is to have it adopted by the entire county.

Commissioner Warburton indicated that her concern is that the plan is out of her expertise. She asked if trails designated for bicycle and equestrian use would work, and Justin Morris replied that it has worked in other jurisdictions.

Mr. Morris asked the Planning Commission if they believe that the Ogden Valley Pathways Masterplan should be updated to include the new information. Commissioner Warburton indicated she would like to speak with the committee members involved as well as others that have the proper expertise.

Rob Scott said if you look at the map in the existing masterplan, it is very general and hard to read. There are still plenty of options of where the trails have not been developed to make alignment changes in the future. Staff believes the masterplan should be updated to include the presented information. Weber Pathways are working towards recognition in their partnership to put forward brochures and other documents that would assist all end users.

Commissioner Parson indicated that the proposed trail map is more concise than the existing map. The plan would be a revolving plan.

Commissioner Warburton questioned how the plan would be funded. Justin Morris indicated that they are looking at including this presented information countywide. Once the plan is adopted, the county can look at pathway dedication as development is proposed. Some funding can come from impact fees paid at the time of obtaining a building permit. Other options could be explored in the future.

On the expiration dates, Commissioner Warburton said she believes there should be term limits. Rob Scott indicated that would be a County Commission policy decision.

With the discussed changes, the Board of Adjustment will have two policy decisions; to act as an appeal authority and to act on variance requests.

Section 29-4 Decision Criteria and Standards

This language reflects what is currently found in the Utah state code. However, staff has not proposed specific criteria amendments for the two remaining special exceptions. Several of the policy questions listed above deal specifically with how special exceptions should be handled. Staff is looking for guidance on this issue from the Planning Commission prior to proposing specific criteria and language amendments.

29-4.4

3. Variances will not affect the General Plan

4. Or contrary to the public interest. Commissioner Howell asked which section is weighed more heavily, and Mr. Wilkinson indicated that an applicant needs to meet both.

Section 29-5 Procedure

This section deals with procedures for filing applications, providing notice, meetings, decisions, time expirations, and appeals. Staff is requesting guidance from the Planning Commission on these issues, because the Planning Commission has more experience in these areas than the Board of Adjustment. Several of the policy questions listed above deal specifically with this section.

2. Ogden Valley General Plan Trails Element

Justin Morris indicated that the Ogden Valley General Plan Trails Element was adopted in 2002. In October, staff informed the members of the information from the Weber County Cooperative Trails Master Plan committee meetings.

Page 6-7 talks about bicycle lanes. The map prepared after 2002 did not show the lanes, but the text referred to them.

Steve Clarke indicated that he applauds the effort to do master planning on the trails. He encouraged the Planning Commission to create updates to that master plan (every year, every two years, etc.). What the master plan and trail plan does not show was the GEM Committee's vision for trails. He believes they should look at the master plan as a model.

Commissioner Warburton asked if the GEM Committee worked with Weber Pathways. Steve Clarke indicated that Weber Pathways and Ogden Valley Pathways were two different groups at the time the master plan was adopted. Jennifer Graham has been trying to get a recreation master plan for Weber County adopted.

Chair Siegel said that people are required to register their ATV's. There is only one area now where motorcycles could be used on the trails.

Justin Morris asked if the Ogden Valley General Plan Trails Element still represent the vision. Should a map be prepared that would replace the Ogden Valley's Trails Master plan?

Commissioner Warburton asked if she had her preference, she would have a committee comprised of experts study it and come back to them with their recommendations.

Chair Siegel indicated that what they have now, they could hold a work session with the GEM Committee and others they want to invite.

Commissioner Howell would like to have a map where the major roads are as well as the master-planned trails.

Chair Siegel indicated that he believes all trails should be shown, motorized and non-motorized trails.

Commissioner Parson indicated that they have a lot of work that has been done. He believes it should not take more than a couple of work sessions with all the groups involved e.g. Horsemen Associations, GEM Committee, Weber Pathways, Forest Service, off-road vehicle people, Jennifer Graham, Terry Davis, Alan Wheelwright, etc.). There is a trail guide that Sun Valley publishes which is an excellent example that shows trail access areas, etc.). Commissioner Howell said he is also familiar with the trail guide in the High Sierras.

Steve Clarke indicated that he would suggest that the Planning Commission make a list of all different uses in the plan and a list of everyone that would participate and then have them report again to the Planning Commission for a 30-minute meeting.

Justin Morris indicated that the map is for creating new trails. They are not adopting a trail use guide.

- It was decided that a subcommittee would be formed to address the Ogden Valley General Plans Element for non-motorized trails.

3. Ordinance to amend Home Occupations Chapter 34

This item was pulled from the agenda

4. County Commission Curb, Gutter and Sidewalk Deferral Policy Information

The County Commission is looking for ways on how they handle curb, gutter and sidewalk in the Ogden Valley. Right now, as a general rule, curb, gutter and sidewalk deferrals are required. Staff has prepared a list of various options. The members were encouraged to review the options and give comments to staff.

Commissioner Howell said the most important thing he sees is disclosure. Sean Wilkinson indicated that staff records the agreements and they should be revealed during a title search.

- 5. Other
- 6. Adjourn

There being no further business, the meeting was adjourned at 6:35 p.m.

Respectfully Submitted,

Sherri Sillitoe, Secretary
Weber County Planning Commission

Minutes of the Ogden Valley Planning Commission Work Session held October 30, 2012, in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Kevin Parson, Chair; Dennis Montgomery; Pen Hollist; Ann Miller; Laura Warburton; John Howell; Greg Graves

Staff Present: Rob Scott, Planning Director; Sean Wilkinson, Planner; Kary Serrano, Secretary

1. New Business:

Public Hearing on an Ogden Valley Pathway Master Plan Amendment

Rob Scott, Planning Director gave a brief history of this project explaining when it was initiated, where it currently stands, etc. The Trails Committee made a list of the trails included in the plan and made an Appendix. Tonight's meeting is to receive public input. Upon editing this material he discovered that the map itself was never officially adopted by the County as part of the ordinance. He will be coming back to the Planning Commission with a revised map to make sure that it gets officially adopted as part of the general plan. This Planning Commission will make a recommendation on the text and he will bring the map back through another project; basically no standards were changed.

Commissioner Warburton said on Page 8, Maintenance Section, are we having the owners of the right-of-way responsible for repaving? Rob Scott indicated that it would depend on who owns the pathway itself; in some instances the pathways are maintained by the public, and others are maintained by the private sector.

Richard Webb, who resides in Liberty, suggested using the Forest Service grading system from 1-5 with No. 5 being a pathway being built around the paved dam and with No. 1 being rustic primarily a hiking trail, with everything else in between. If you rated these trails consistently with the Forest Service so when people look at trails numbered 2 or a 3, they would already know what it is. There are two trails that force hikers onto the dirt roads during busy times which is not the safest situation. He urged the board members to consider Ogden's Nordic proposal to connect some of these loops that have been put up there and maintained by volunteers or service organizations, such as Back Country Horsemen who are more than happy to do maintenance and work on the trails in the valley. He suggested having an adequate number of trails that would have dry porous ground that can be used in the spring. Trails on the east slope stay wet and folks using these trails wear them down while some trails on the western slope dry out quickly and the ground is very porous. On those kinds of trails you keep people off of the east facing slope and put them on the west to give those who want to get out and enjoy the outdoors and opportunity to do so and not trash the trail network. Another suggestion is that instead of using the Polk Canyon Trail or the #18 Porcupine Trail, which are really difficult trails to get up to the Skyline Trail, using a direct road on a piece of property that runs up adjacent to Nordic Valley to allow the public to go through there, as long as it's non-motorized, an easier route that hooks right into the Forest Service property onto the Skyline Trail.

Commissioner Warburton suggested that Mr. Webb write his concerns down and submit them to staff so that they are not lost in the update process.

Commissioner Hollist said that he recalled in earlier discussions that North Fork Park had excluded itself or was excluded from the Weber County Pathways ordinance. Rob Scott replied that they did which is why those trails are not included in this document. Chair Parson said so none of the trails leading up to the waterfalls in North Fork Park are included on the map because it has its own Master Plan. Mr. Scott replied that they will have their own master plan and it will include whatever they determined within that but it's not going to be included within the overall General Plan. Chair Parson asked if there was a reason that they did not want it included. Rob Scott said that planning staff talked with Parks and Recreation, and the idea of getting too detailed information becomes very difficult to include in that kind of map.

Richard Webb said there is one new that needs to be worked on to get to the top of the Forest Service property on the Avon Divide, and it would be nice to get people off the eastern slope and on to the western slope in the spring time.

Commissioner Miller asked if there were problems using the Forest Service Grading System. Rob Scott replied that the standard in this amendment is the same standard that was adopted back in 2002. Pathway types are found on Page 6, and the Forest Service was not concerned about it.

Commissioner Parson asked if there would be a note or a supplement on the map that there is hiking in the North Fork Park area. Mr. Scott replied they had not anticipated putting that on the General Plan. The county has a website that identifies the various activities and Weber Pathways has one that identifies their own maps and their own promotional activities to help people get to where they want to be. This is the General Plan Map that is going to be included as part of the development reviews and be part of the Weber Pathways activities.

Richard Webb said he was not sure if the County should be relying totally on Pathways to be doing it all as it is their mission primarily to work on finding pathways and access through private property. Many of these 33 paths are proposed and you don't know for certain exactly where that route is going to be or the accessibility of it. Many of these trails have not been added to the Global Positioning System (GPS) and that's because they run through private property.

Commissioner Warburton asked when the Master Plan is manifested into a map, will both of them go into maps and be included in both this Master Plan and the Parks and Recreation Master Plan for North Fork. Mr. Scott replied that it wouldn't be included in this document; it will be included in their Master Plan, which are separate documents and separate maps.

Commissioner Miller asked if there has been communication between Parks and Recreation and Weber Pathways so that when there are opportunities to connect into those trails, they can consider those opportunities. Rob Scott indicated that there has been communication between various bodies and entities.

Ron Gleason, who resides in Huntsville, suggested that Mr. Scott add this project to the Miradi System so when updates are made, those that are subscribed to Miradi can get automatic updates. They received an update because of Steve Clark and if they used the Miradi System, it would be easier to keep up with the latest updates. On Page 9, Environmental Sensitive Areas, #3, *"specifically when any pathway is planned for a designed wetlands area, the Corps of Engineers shall be contacted to apply for a 404 Permit."* He suggested replacing that with *"Pathways will not impede and go through wetland areas."* It's important that we don't impede on the wetlands or cross them, as there is not a huge amount of wetlands in the valley, but what's there is quite important particularly in the way the water flows where it would be easy to work around them instead of putting pathways through them. On the 33 proposed pathways, 11 of them are flagged for immediate development; since there is no funding for these, how are they prioritized. Should this number be taken down to focus on funding and/or staffing resources?

Commissioner Graves said that some of the proposed development had more to do with activities involving with piping a canal and when it gets done.

Sharon Holmstrom, who resides in Eden, said she was part of the original group who developed the Master Plan, obtained grant monies, and prioritized a list of terms. They had to look at where development might occur for building pathways, making that their first priority; otherwise, if we wait ten years it might cost millions of dollars versus a hundred thousand dollars for that same piece of property. All the paved pathways built in the valley have been done through private groups like Weber Pathways, other groups applying for RAMP Grants, Forest Service Grants, or whatever could be scraped up to build them. On Page 6, Pathway Types and Standards, Sections 1, 2, and 3, where it says the word *"must be separated by roadways by a barrier or by at least 10 feet of open space or landscaping,"* if we're going to continue this loop around the lake and connect our residential areas to our schools and our churches, it would not meet that 10 feet from the roadway. If you leave the word *"must"* in there you are going to be legally bound and every word in this document you would have to adhere to once this document has been finalized.

Commissioner Hollist said that of friend of his told him that riding a bike on Pathways is actually dangerous because of the rocks and debris. He believes maintenance has to be included in the plan. Mrs. Holmstrom replied that they have a commitment from the county to maintain and sweep those pathways.

Kim Wheatley, who resides in East Huntsville, said that he would be disappointed if the map was not similar to what they had looked at in 2002. A lot of changes have occurred and the Forest Service would like for them to have a trail that connects North Fork to the Avon Liberty Divide which is not on the current master plan. Since 2002 when they put that

plan together, the idea for immediate development and long term development was sort of an idea, and realistically there needs to be a thorough look at trails to include other municipalities in the Master Plan.

Steve Clarke who resides in Eden, and he is representing Teri Davis to speak on the issue of the North Fork Park Trails. His request is either this document specifically state that the North Fork Park Master Plan is excluded or that it be included as part of the Master Plan processing of the General Plan. Mr. Clarke indicated that it is the GEM Committee's suggestion that the document be modified to specifically say that the trails systems was designed in a two ring concentric ring spoke architecture for two specific reasons; that the inner ring would be around Pineview Reservoir, the higher ring would be around the mid range or on top of the west mountain or where you can go the trail to go all around the valley at a higher elevation, and then spokes that periodically connect. The next suggestion is to add the Forest Service Trail Designation in addition to what is already part of this map. The General Plan document does have a heading of funding, maintenance, and lists the alternatives for funding without making any recommendations. With regard to maintenance, it is unreasonable to ask the property owners to repave that trail as it would be a very expensive proposition. Maintenance needs to become a shared responsibility, a duty of the community, not something that specific landowners should have to adhere to. Another issue would be that the motorized trail should be part of the general plan and part of the map but a dominant force for pathways in the valley is not the motorized trail group.

Mrs. Holmstrom said that she differs with Mr. Clarke on the issue of motorized pathways. From the time of the inception of this ordinance and this master plan, this is about non-motorized pathways. This was originally designed for non-motorized pathways and motorized pathways should be addressed under a totally different ordinance but to mix them up would be detrimental to the entire process and the public's perception of it.

Richard Webb said that the only motorized trail in the county on Forest Service property is the Skyline Trail that starts at the base of the dam, goes up across the Skyline Trail, down into the divide, and then back the other side and across and then over to Willow Peak. The Forest Service is desperately trying to close that motorized trail and they can't do it because of the lobby and the political issues around it. He concurs with Mrs. Holmstrom that the Weber Pathways mission is non-motorized. In Monte Cristo there are designated areas for motorized trials and the Forest Service has difficulties policing that area as it goes all the way to the Idaho border.

Commissioner Hollist asked if the Avon Road is an authorized motorized trail because his motorized authorized maps indicate that is an authorized motorized trail, then it would seem that it is somehow controlled or advertised by the state. Richard Webb replied that it is a road depending on whose land it's on, but the Forest Service is very specific in their definition that it is a paved pathway and possibly that Avon road may be paved.

Commissioner Graves said in looking at the list of proposed trails there is one that goes through the center of the entire length of his property, and it was marked as a priority because that's where the canal goes. The canal has been piped and the only attempt for the easement even for the canal company is getting something in there is not going to happen.

Commissioner Warburton asked Legal Counsel about the North Fork issue; is it necessary to put something in there that indicates that the North Fork is not included? Chris Allred, Legal Counsel replied what is included in this master plan is included and it does not have to be referenced in there.

Commissioner Hollist asked why the North Fork Plan is separate from the Ogden Valley Master Plan; they are both Weber County government agencies and it seems that the valley is not served. There needs to be some sort of confluence in the definitions that are used for trails in North Fork Park in the Ogden Valley Master Plan and with the Forest Service. If you have to put in the ordinance a translation table says this trail goes through the Ogden Valley, the Forest Service, and North Fork Park whether it is a class one or class three trail.

Commissioner Montgomery referred to #24 Trails. Since North Fork Park is going to be excluded, why is Memorial Park, which is also under the county Parks and Recreation not mentioned? Rob Scott replied that as part of your motion you could include that you would like to have these things included when making a recommendation to the County Commission to adopt this plan. If you are not ready and you want to see some other amendments made, let staff know so they could be brought back to the Planning Commission for review.

Commissioner Miller echoed Commissioner Hollist's remarks on the architecture of trails and the reference made to North Fork Park. There needs to be some sort of connection of these trails with some organization. Commissioner Hollist said that he doesn't believe they have to be planners but they do need to pay attention to the interface points between the two plans so that they connect up.

A discussion was ensued regarding North Fork Park being added to the document and Rob Scott replied that he would add that reference.

Commissioner Warburton referenced Page 6, under pathways types and standards and she believes the word "*must*" should be replaced with "*should*" where possible.

Rob Scott said the maps from the coordinated trails plan have been on our website for almost two years and there was an in depth looking at the various trails with the Weber Trails Committee. The Weber Trails Committee meets three or four times a year and they asked for comments relative to those trails at every one of those meetings.

Chair Parson was excused at 6:40 PM.

Vice Chair Hollist asked if it was permissible to put as appendixes the North Fork Park Trails and the Ogden Valley Pathways Master Plan Trails. Rob Scott replied that he would add them to the existing list.

MOTION: Commission Warburton moved to table the Ogden Valley Pathways Master Plan Amendment with the revision to be brought back in January. Commissioner Graves seconded the motion.

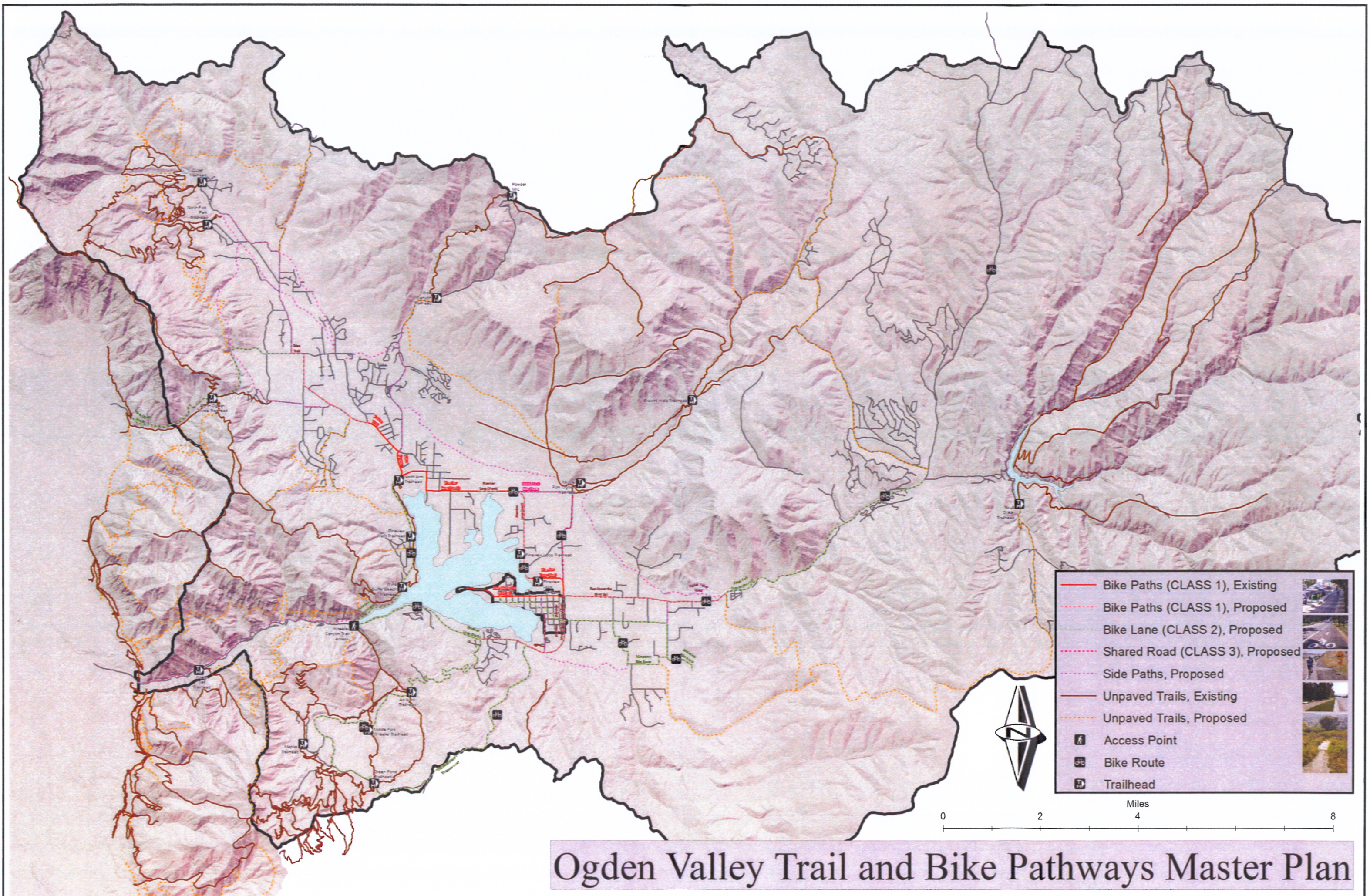
DISCUSSION: Commissioner Graves referred to #33, and said that he has been on record since Pathways started this where he expressed his opinions, yet not once has he been asked about having a pathway through his property. As a landowner and also the president of the canal company, it would be nice to have some consideration. He is apprehensive because should at any point some other people want to develop his property, there may be a problem. Commissioner Warburton said if he had an alternate plan or an alternate route that he could suggest it could be added to this plan. Commissioner Graves replied that he does not have an alternative, but the proposed trails not only impacts him but also the wildlife and that is significant.

Vice Chair Hollist asked Legal Counsel if Weber Pathways have the power of eminent domain? Mr. Allred replied that they do not. Rob Scott added that eminent domain only resides with the county, the city, or the state and Weber Pathways does not have that power.

Vice Chair Hollist asked if staff could bring back a revised map along with the alterations to the Ogden Valley Pathway Master Plan. Rob Scott replied that he anticipated getting this adopted and then he could bring back the map as a separate action because the map was never officially adopted and would require a public hearing. So they are talking about the General Plan, the Map, and the Ordinance being brought back to the Planning Commission sequentially.

VOTE: Vice Chair Hollist said the motion carried with all members present voting aye. Motion Carried (6-0)

2. **Public Comments:** No public comments.
3. **Planning Commissioner's Remarks:** No remarks from the Planning Commission.
4. **Staff Communications:**
 - 4.1. **Planning Director's Report:** There was no Planning Director's remarks.
 - 4.2. **Legal Counsel's Remarks:** There were no Legal Counsel's remarks.



Ogden Valley Trail and Bike Pathways Master Plan